

Exhibit 7

Alice M. Blount, Ph.D.

Page 1

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI

GAIL LUCILLE INGHAM)	
and ROBERT INGHAM, et)	
al.,)	
)	
Plaintiffs,)	Case Number:
)	1522-CC10417-01
v.)	
)	
JOHNSON & JOHNSON, et)	
al.,)	
)	
Defendants.)	

FRIDAY, APRIL 13, 2018

- - -

Videotaped deposition of Alice M. Blount, Ph.D., held at the Best Western Hotel, 5 Best Western Place, Rutland, Vermont, commencing at 9:23 a.m., on the above date, before Carrie A. Campbell, Registered Diplomate Reporter, Certified Realtime Reporter, Illinois, California & Texas Certified Shorthand Reporter, Missouri & Kansas Certified Court Reporter.

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GOLKOW LITIGATION SERVICES
877.370.3377 ph | 917.591.5672
deps@golkow.com

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 LANIER LAW FIRM, P.C.</p> <p>4 BY: W. MARK LANIER, ESQUIRE</p> <p>5 wml@lanierlawfirm.com</p> <p>6 6810 FM 1960 West</p> <p>7 Houston, Texas 772690-1448</p> <p>8 (713) 659-5200</p> <p>9</p> <p>10 LANIER LAW FIRM, P.C.</p> <p>11 BY: RACHEL LANIER, ESQUIRE</p> <p>12 rachel.lanier@lanierlawfirm.com</p> <p>13 126 East 56th Street, Sixth Floor</p> <p>14 New York, New York 10022</p> <p>15 (212) 421-2800</p> <p>16 Counsel for Plaintiffs</p> <p>17</p> <p>18 ORRICK, HERRINGTON & SUTCLIFFE LLP</p> <p>19 BY: MORTON DUBIN, ESQUIRE</p> <p>20 mdubin@orrick.com</p> <p>21 KEVIN M. HYNES, ESQUIRE</p> <p>22 khynes@orrick.com</p> <p>23 51 West 52nd Street</p> <p>24 New York, New York 10019</p> <p>25 (212) 506-3742</p> <p>Counsel for Defendant Johnson & Johnson</p> <p>SANDBERG, PHOENIX & VON GONTARD, P.C.</p> <p>BY: MARK A. PROST, ESQUIRE</p> <p>mprost@sandbergphoenix.com</p> <p>600 Washington Avenue, 15th Floor</p> <p>St. Louis, Missouri 63101</p> <p>(314) 446-4226</p> <p>Counsel for Imerys Talc America</p>	<p style="text-align: right;">Page 4</p> <p>1 INDEX</p> <p>2 PAGE</p> <p>3 APPEARANCES..... 2</p> <p>4 EXAMINATIONS</p> <p>5 BY MR. LANIER..... 8</p> <p>6 BY MR. DUBIN..... 43</p> <p>7 BY MR. PROST..... 80</p> <p>8 BY MR. LANIER..... 86</p> <p>9 BY MR. DUBIN..... 99</p> <p>10 BY MR. LANIER..... 105</p> <p>11 BY MR. DUBIN..... 106</p> <p>12 BY MR. LANIER..... 107</p> <p>13</p> <p>14 EXHIBITS</p> <p>15 No. Description Page</p> <p>16 1 Alice M. Blount résumé 8</p> <p>17 2 Blount optical microscope 17</p> <p>18 photograph</p> <p>19 3 Blount optical microscope 17</p> <p>20 photograph</p> <p>21 4 Photograph of Alice M. Blount 19</p> <p>22 microscope</p> <p>23 5 Blount optical microscope 20</p> <p>24 photograph</p> <p>25 6 Blount optical microscope 20</p> <p>photograph</p> <p>7 OSHA Polarized Light Microscopy of 26</p> <p>Asbestos printout</p>
<p style="text-align: right;">Page 3</p> <p>1 BLITZ, BARDGETT, & DEUTSCH, L.C.</p> <p>2 BY: GLENN A. NORTON, ESQUIRE</p> <p>3 gnorton@bbdlc.com</p> <p>4 120 South Central Avenue, Suite 1500</p> <p>5 St. Louis, Missouri 63105</p> <p>6 (314) 863-1500</p> <p>7 Court-Appointed Special Master</p> <p>8</p> <p>9 ALSO PRESENT:</p> <p>10 Jayne Conroy, Simmons Hanly Conroy</p> <p>11 Ella Fassler, Lanier Law Firm</p> <p>12 Jonathan Cooper, Tucker Ellis</p> <p>13</p> <p>14 VIDEOGRAPHER:</p> <p>15 CHRIS COUGHLIN,</p> <p>16 Golkow Litigation Services</p> <p>17</p> <p>18 ---</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 8 April 23, 1998 letter from Alice M. 35</p> <p>2 Blount to M. Raymond Hatcher,</p> <p>3 J&J-0049150</p> <p>4 9 "The Facts About Talc Safety" 40</p> <p>5 printout</p> <p>6</p> <p>7 10 Lanier's handwritten demonstrative 42</p> <p>8 notes</p> <p>9 11 "Process Mineralogy IX: 50</p> <p>10 Applications to Mineral</p> <p>11 Beneficiation, Metallurgy, Gold,</p> <p>12 Diamonds, Ceramics, Environment and</p> <p>13 Health"</p> <p>14 12 "Amphibole Content of Cosmetic and 52</p> <p>15 Pharmaceutical Talcs," AM Blount</p> <p>16</p> <p>17 13 April 9, 2018 letter to Richard 54</p> <p>18 Meadow from Richard T. Bernardo</p> <p>19 14 Bottle of Johnson & Johnson's baby 58</p> <p>20 powder supplied by Alice M. Blount</p> <p>21</p> <p>22 15 E-mail from Jonathan Cooper to 60</p> <p>23 Alice Blount</p> <p>24 16 "Occupational Exposures to 70</p> <p>25 Non-Asbestiform Talc in Vermont,"</p> <p>Boundy, et al.</p> <p>17 May 21, 1987 McCrone Associates 72</p> <p>letter from Ian M. Stewart to</p> <p>Donald M. Benniger,</p> <p>J&J-0044868</p> <p>18 November 19, 1975 letter from Gene 93</p> <p>19 R. Grieger to Vernon Zeitz,</p> <p>20 J&J-0123236</p> <p>21</p> <p>22 19 Letter about asbestos from Rio 94</p> <p>23 Tinto Minerals</p> <p>24 20 Luzenac America Technical Report, 97</p> <p>25 Julie Pier,</p> <p>IMERYS422289 - IMERYS422290</p> <p>(Exhibits attached to the deposition.)</p>

2 (Pages 2 to 5)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 6</p> <p>1 CERTIFICATE.....108</p> <p>2 ACKNOWLEDGMENT OF DEPONENT.....110</p> <p>3 ERRATA.....111</p> <p>4 LAWYER'S NOTES.....112</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 8</p> <p>1 Dubin. I represent Johnson & Johnson.</p> <p>2 MR. PROST: May my name is Mark</p> <p>3 Prost, and I represent Imerys Talc</p> <p>4 America, Inc.</p> <p>5 JUDGE NORTON: I'm Glenn</p> <p>6 Norton. I'm the special master</p> <p>7 appointed by the judge in these cases.</p> <p>8 VIDEOGRAPHER: All others will</p> <p>9 appear on the stenographic record.</p> <p>10 The court reporter is Carrie</p> <p>11 Campbell, and she will now swear in</p> <p>12 the witness.</p> <p>13</p> <p>14 ALICE M. BLOUNT, Ph.D.,</p> <p>15 of lawful age, having been first duly sworn</p> <p>16 to tell the truth, the whole truth and</p> <p>17 nothing but the truth, deposes and says on</p> <p>18 behalf of the Plaintiffs, as follows:</p> <p>19</p> <p>20 (Blount Exhibit 1 marked for</p> <p>21 identification.)</p> <p>22</p> <p>23 DIRECT EXAMINATION</p> <p>24 QUESTIONS BY MR. LANIER:</p> <p>25 Q. Good morning, Dr. Blount.</p>
<p style="text-align: right;">Page 7</p> <p>1 VIDEOGRAPHER: We are now on</p> <p>2 the record.</p> <p>3 My name is Chris Coughlin, and</p> <p>4 I'm a videographer for Golkow</p> <p>5 Litigation Services.</p> <p>6 Today's date is April 13, 2018,</p> <p>7 and the time is 9:23 a.m.</p> <p>8 This video deposition is being</p> <p>9 held in Rutland, Vermont, in the</p> <p>10 matter of Gail Lucille Ingham and</p> <p>11 Robert Ingham, et al., plaintiffs,</p> <p>12 versus Johnson & Johnson, et al.,</p> <p>13 defendants, in the Circuit Court of</p> <p>14 the City of St. Louis, State of</p> <p>15 Missouri, Case Number 1522-CC10417-01.</p> <p>16 The deponent is Alice Blount,</p> <p>17 Ph.D.</p> <p>18 Will counsel please identify</p> <p>19 yourselves and state whom you</p> <p>20 represent.</p> <p>21 MR. LANIER: My name is Mark</p> <p>22 Lanier, and I represent the ladies and</p> <p>23 families affected by the ovarian</p> <p>24 cancer in this trial.</p> <p>25 MR. DUBIN: My name is Morton</p>	<p style="text-align: right;">Page 9</p> <p>1 A. Good morning.</p> <p>2 Q. The jury knows me by now. My</p> <p>3 name is Mark Lanier, and we're playing a</p> <p>4 videotape right now to the jury because</p> <p>5 you're not live at the trial. So this is</p> <p>6 what we call a deposition.</p> <p>7 Thank you for taking time this</p> <p>8 morning. I'm going to ask you some</p> <p>9 questions, and then the other lawyers will</p> <p>10 ask you some questions as well. I'll</p> <p>11 probably come back and ask you a few more,</p> <p>12 and we'll try and move through this with all</p> <p>13 speed.</p> <p>14 Okay?</p> <p>15 A. Okay.</p> <p>16 Q. I've written your name down on</p> <p>17 this sheet, and you can see down at the end,</p> <p>18 Dr. Alice Blount.</p> <p>19 Can you -- make sure I'm</p> <p>20 pronouncing it right. How do you say Blount?</p> <p>21 A. I say Blount, the same as you.</p> <p>22 Q. All right. Very good.</p> <p>23 A. I'm not a southerner.</p> <p>24 Q. You're not a southerner.</p> <p>25 No, you're from Illinois?</p>

3 (Pages 6 to 9)

Alice M. Blount, Ph.D.

Page 10	Page 12
<p>1 A. Yeah, that's not southern.</p> <p>2 Q. Okay. That's not southern.</p> <p>3 Fair enough.</p> <p>4 Dr. Blount, I want to ask you</p> <p>5 two important questions, and then we're going</p> <p>6 to dig into some information behind your</p> <p>7 answers.</p> <p>8 Okay?</p> <p>9 A. Uh-huh.</p> <p>10 Q. The first question is this:</p> <p>11 Have you tested Johnson & Johnson baby powder</p> <p>12 for asbestos?</p> <p>13 A. Yes.</p> <p>14 Q. And then the important</p> <p>15 follow-up question: Does Johnson & Johnson</p> <p>16 baby powder, or did it when you tested it,</p> <p>17 have asbestos?</p> <p>18 MR. DUBIN: Object to form.</p> <p>19 THE WITNESS: Yes.</p> <p>20 QUESTIONS BY MR. LANIER:</p> <p>21 Q. Now, because of your answers to</p> <p>22 those questions, I want to ask you some</p> <p>23 background information so the jury knows who</p> <p>24 you are, and I want to ask you a little bit</p> <p>25 about the asbestos you found.</p>	<p>1 delightful place, though I don't really think</p> <p>2 we talked about this at all.</p> <p>3 A. No.</p> <p>4 Q. All right. Dr. Blount, I want</p> <p>5 the jury to get the benefit of knowing your</p> <p>6 background, so let's start out talking about</p> <p>7 that a little bit.</p> <p>8 Where did you grow up as a</p> <p>9 girl?</p> <p>10 A. I grew up in Carbondale,</p> <p>11 Illinois.</p> <p>12 Q. Carbondale, Illinois. That's</p> <p>13 on the other side of the Mississippi River</p> <p>14 from St. Louis where we're trying this case.</p> <p>15 A. Not that far. We used to go</p> <p>16 into St. Louis all the time.</p> <p>17 Q. That was the big city for you,</p> <p>18 maybe.</p> <p>19 A. Yes, close.</p> <p>20 Q. Carbondale, Illinois.</p> <p>21 And you brought with you some</p> <p>22 papers today, and among those papers was a</p> <p>23 résumé that you did when you were trying</p> <p>24 to -- or when you were getting ready for a</p> <p>25 position or something at Rutgers, I think.</p>
Page 11	Page 13
<p>1 You are what we've listed in</p> <p>2 this trial as a fact witness, so I'm not</p> <p>3 asking you to give me expert opinions outside</p> <p>4 of; just what you did and what you understand</p> <p>5 from your actual actions.</p> <p>6 Okay?</p> <p>7 A. Uh-huh.</p> <p>8 Q. All right. So let's start out</p> <p>9 with who you are.</p> <p>10 Now, I've had the benefit --</p> <p>11 and we'll get into this in a little more</p> <p>12 detail later. I've had the benefit of</p> <p>13 meeting with you I think on about three</p> <p>14 different times. Three or four; is that</p> <p>15 right?</p> <p>16 A. That's about right.</p> <p>17 Q. I know that on two of three of</p> <p>18 those times we talked for about 20 or</p> <p>19 30 minutes about this information over a cup</p> <p>20 of coffee --</p> <p>21 A. Yes.</p> <p>22 Q. -- at the bakery.</p> <p>23 A. (Witness nods head.)</p> <p>24 Q. And then last night we had</p> <p>25 dinner with your husband, Jack, at a</p>	<p>1 Is that right?</p> <p>2 A. Yes, Rutgers in Newark, Newark</p> <p>3 branch of Rutgers.</p> <p>4 Q. Okay. We'll get to you and</p> <p>5 Rutgers in a minute.</p> <p>6 By the way, just for grins,</p> <p>7 tell the jury where you live now and why</p> <p>8 we're having to do this by a deposition</p> <p>9 instead of you just driving in from</p> <p>10 Carbondale.</p> <p>11 Where are we today?</p> <p>12 A. We're in Rutland, Vermont.</p> <p>13 Q. Rutland, Vermont.</p> <p>14 And I know you still do some</p> <p>15 consulting work, but basically --</p> <p>16 A. We came up here because I had a</p> <p>17 job up here.</p> <p>18 Q. All right. Very good.</p> <p>19 And then your husband's</p> <p>20 retired, I think?</p> <p>21 A. Yes.</p> <p>22 Q. All right. So let's just grab</p> <p>23 a couple of things off of your résumé to make</p> <p>24 sure that we've got everything right.</p> <p>25 This is a résumé that you did</p>

4 (Pages 10 to 13)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 14</p> <p>1 back when you were at the Department of 2 Geological Sciences at Rutgers in Newark, 3 New Jersey; is that right? 4 A. That's right. 5 Q. And your experience was you had 6 been working with the asbestos problem since 7 1972, specifically with how the FDA proposed 8 an optical method for detecting and 9 quantifying amphiboles and chrysotile in talc 10 used in food and drugs. 11 Is that right? 12 A. So we're talking about 1972 -- 13 Q. Yes, ma'am. 14 A. -- it was -- wasn't that -- 15 that was when the Food and Drug came out with 16 this regulation for the pharmaceutical 17 industry, and my husband was working for the 18 pharmaceutical industry. He was a chemist, 19 and he took -- he was in charge of that 20 department, and they put out this regulation 21 that nobody could understand. 22 Q. Ah. 23 A. And so the person in quality 24 control said, "Dr. Blount's wife is a 25 mineralogist," and so that's why I got</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. And then you went to the 2 University of Wisconsin where you got a 3 master's of science in geology and a Ph.D. in 4 geology in 1970; is that right? 5 A. That's right. 6 Q. Now, you also got -- if I 7 remember the story correct, you also got a 8 husband at the University of Wisconsin? 9 A. Yes, that's right. 10 Q. It's not on your résumé. 11 How did you find your husband 12 when you were looking at rocks? 13 A. Well, he was getting a Ph.D. 14 there, and I needed a computer program that 15 he had. He was very good at writing computer 16 programs. So I went over to the chemistry, 17 and I got this computer program from him, and 18 that's the whole story. 19 Q. And you got the love of your 20 life. 21 You and I were talking about 22 this in doing the math. You-all have been 23 married -- this year makes 50 years you-all 24 have been married? 25 A. Yeah.</p>
<p style="text-align: right;">Page 15</p> <p>1 involved in 1972, '73, in that region, yeah. 2 Q. Okay. Fantastic. 3 And the jury's got this from 4 other people, but would you just tell us what 5 an amphibole is? 6 Is that -- what is an 7 amphibole? 8 A. It's a mineral. 9 Q. It's a mineral? 10 A. It's a mineral. 11 Q. All right. Now, the jury has 12 heard that asbestos can be an amphibole 13 asbestos or a chrysotile asbestos. 14 A. Uh-huh. 15 Q. Is that -- are we right on 16 that? 17 A. (Witness nods head.) 18 Q. Okay. Now, before we go any 19 further, let's look at the education here. 20 You got your bachelor of 21 science with honors in geology in 1964 at the 22 University of Missouri; is that right? 23 A. That's right. 24 Q. Is that in Columbia, Missouri? 25 A. Uh-huh, yes.</p>	<p style="text-align: right;">Page 17</p> <p>1 Q. That's incredible. 2 All right. Your experience at 3 the time of this résumé back then, you were 4 curator of earth science at the Newark museum 5 and a research associate professor and member 6 of the graduate faculty for the Department of 7 Geological Sciences at Rutgers since 1972. 8 Is that right? 9 A. That's right. 10 Q. And you would actually teach 11 courses in optical mineralogy on a graduate 12 level at Rutgers? 13 A. Right. 14 Q. Can you tell us what optical 15 mineralogy is? 16 A. Well, optical mineralogy is 17 what I would be doing on these samples that 18 I'm looking at to see if there's asbestos. 19 You take a glass slide, and you put your 20 sample on the glass slide, and then you use a 21 microscope so that you can really see what's 22 there. And you can do some tests on -- when 23 they're on the slide, and that makes -- so 24 you can actually identify exactly what it is. 25 (Blount Exhibits 2 and 3 marked</p>

5 (Pages 14 to 17)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 18</p> <p>1 for identification.) 2 QUESTIONS BY MR. LANIER: 3 Q. You brought some pictures, and 4 we'll go into more detail later, but two of 5 the pictures that we'll label -- let's get 6 these labels caught up. We're going to label 7 your résumé as Exhibit Number 1 so the jury 8 can see it. We'll put a number 1 on it. 9 And then we're going to label 10 these pictures as Exhibits Number 2 and 3 so 11 that we've got them as well. 12 And I'll put these up so the 13 jury can see them and the lawyers can see 14 them. 15 But I've put Exhibit 2 -- 16 there's the 2 number. I've put Exhibit 2 up 17 for the jury to see. 18 Is this something you took with 19 an optical microscope? 20 A. You have a picture of the 21 microscope somewhere, I think. 22 Q. Yes, you gave me a picture of 23 the microscope. That's a good point. I 24 should use that. We'll mark it as Exhibit 25 Number 4.</p>	<p style="text-align: right;">Page 20</p> <p>1 A. Yeah, because it's easier to 2 explain. 3 Q. Yes. Yes. 4 (Blount Exhibits 5 and 6 marked 5 for identification.) 6 QUESTIONS BY MR. LANIER: 7 Q. We'll mark the gray background 8 picture as Exhibit Number 5. So let's start 9 with that one. 10 A. Is that the right -- is that 11 the right -- I have an arrow there. Do you 12 have -- can you see the arrow at the side? 13 Q. Yes. Here's the arrow. Does 14 that mean to point it out? 15 A. Yeah, that's the right 16 direction. 17 Q. Okay. Now let me expand it so 18 that we've got a better view. 19 All right. 20 A. And then you got the red one to 21 go with it, too. 22 Q. I'm sorry? 23 A. You got a red one that goes 24 with that, too. 25 Q. Okay. That would be -- this</p>
<p style="text-align: right;">Page 19</p> <p>1 (Blount Exhibit 4 marked for 2 identification.) 3 QUESTIONS BY MR. LANIER: 4 Q. What is Exhibit Number 4? 5 What's this picture we're looking at? 6 A. That's my pictographic 7 microscope that I have at home. It's my 8 microscope, yeah. 9 Q. So this is your microscope you 10 have at home? 11 A. Yeah. 12 Q. An Olympus, looks like a BH2 -- 13 A. Yeah. 14 Q. -- or an EH2? 15 A. I think it's a BH2, yeah, with 16 a lot of accessories on it. 17 Q. Yeah, I started to say, this 18 doesn't look like what we had in high school. 19 A. No. 20 Q. Is this what you used to take 21 this picture that we've got as Exhibit 2? 22 A. Maybe you better show the 23 picture with the gray background. 24 Q. Oh, gray background picture? 25 All right.</p>	<p style="text-align: right;">Page 21</p> <p>1 would be this one. 2 A. Yeah, there should be -- the 3 arrow should be going -- yeah, that's good. 4 Q. Okay. So here, I'll put them 5 both up here together. 6 A. So I -- first I have -- on the 7 right I have a picture through the microscope 8 without any filters or anything, but to tell 9 which direction is what we call the fast 10 direction or the slow direction, you have to 11 put the filter in. So that's what I've done 12 on the left, I've put the filter in. And it 13 makes the background look red, but it gives a 14 yellow tint to that fiber there. 15 Q. All right. So this that my 16 finger's drawing here, I'll put a circle 17 around it. This is what you're calling a 18 fiber; is that right? 19 A. I call it -- yes, I call that a 20 fiber. 21 Q. Okay. And so that's on Exhibit 22 Number 5? 23 A. Uh-huh. 24 Q. On Exhibit Number 6, it looks 25 like the same type thing, but it's all red on</p>

6 (Pages 18 to 21)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 22</p> <p>1 the background. 2 A. Yes. 3 Q. Is this the one where you -- 4 A. You put a filter in sort of the 5 middle part of the microscope, and it's the 6 color of the -- if it's yellow, then we know 7 what -- you know, we know it's an asbestos 8 fiber. If it was blue, then it wouldn't be. 9 So that's why we have these colors here. 10 Q. Ah, so that's what tells you 11 that that sphere-looking thing is asbestos? 12 A. (Witness nods head.) 13 Q. Okay. 14 A. That's why we put the color in 15 there. 16 Q. All right. By the way, where 17 did you get this asbestos from that's in 18 these pictures? 19 A. From Johnson & Johnson baby 20 powder. 21 Q. All right. Now, you actually 22 taught the graduate students how to use these 23 microscopes and do this work? 24 A. Yes, we did -- yes, I taught 25 that.</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. And I've also got your paper 2 from 1983 that I had kind of an original set 3 of, and I got you to sign that one as well, 4 didn't I? 5 A. You did. 6 Q. All right. Well, I'd like to 7 make sure that -- so on your background we've 8 got your work at Rutgers, where you've got a 9 Ph.D. in mineralogy and geology; is that 10 right? 11 A. Yes. 12 Q. I can't spell mineralogy. 13 Mineralogy. 14 It's something like that. I 15 can do geology. Geology. 16 Okay. And then you went to 17 Rutgers where you did some teaching and 18 research, and then you've also done 19 consulting for companies, all to -- not all, 20 but including to identify asbestos. 21 Is this fair? 22 A. That's fair. 23 Q. All right. Now, I want to 24 change to a new subject here, so with that 25 being it, you've got your microscope.</p>
<p style="text-align: right;">Page 23</p> <p>1 Q. Okay. And that's in addition 2 to supervising graduate thesis research and 3 teaching undergraduate courses as well? 4 A. Yes. 5 Q. And did you also consult with 6 several major industrial minerals companies 7 doing this very kind of work -- 8 A. Yeah. 9 Q. -- identifying and counting 10 asbestos-type materials in industrial mineral 11 products? 12 Is that you? 13 A. Yes, that's me. 14 Q. All right. Well, we've got a 15 list here of your publications at the time, 16 your references. We'll set that aside for a 17 moment, though I did get two of your 18 publications from you. 19 I got the "Amphibole Content of 20 Cosmetic and Pharmaceutical Talcs" you 21 published in 1991; is that correct? 22 A. Yeah, it looks like it. 23 Q. And I made you sign it. I got 24 an autographed copy, didn't I? 25 A. That's right, you did.</p>	<p style="text-align: right;">Page 25</p> <p>1 Where did you get the asbestos 2 from that you've put -- that we've seen here 3 in Exhibit 5 and 6? 4 You said you got it from the 5 Johnson & Johnson baby powder, but where did 6 the baby powder come from? 7 A. Where the baby powder -- I 8 bought it off the shelf, I think in 9 New Jersey, but I'm not -- 10 Q. So you just bought it off the 11 shelf? 12 A. Yeah. 13 Q. Very good. 14 You've also got these two 15 pictures that I've marked as Exhibit 2 and 3. 16 And Exhibit 2, it looks like the -- is this 17 sphere-looking thing still the fiber? 18 A. Yes. 19 Q. Okay. In one picture it's 20 yellow, and in the other picture it's blue 21 and it's going the opposite direction. 22 How is that? Can you explain 23 that to me? 24 A. Well, it's blue because it's 25 oriented in the opposite direction. It will</p>

7 (Pages 22 to 25)

Alice M. Blount, Ph.D.

Page 26	Page 28
<p>1 change color from yellow to blue if you 2 rotate it. So we rotated it. 3 Q. Ah, so that's just you rotating 4 the slide around? 5 A. Uh-huh. 6 Q. And that changes the color? 7 A. Yeah. 8 Q. Why is that? 9 A. Because the light -- the light 10 coming through the sample is polarized, and 11 so it's -- it has a different value as you 12 move it. 13 Q. When I was asking you about 14 this over coffee, you showed me this OSHA 15 paper that -- this OSHA polarized light 16 microscopy of asbestos. 17 A. Uh-huh. 18 Q. And we'll mark this as Exhibit 19 Number 7 so everybody's got an ability to use 20 it and the jury gets to see it, I hope. 21 (Blount Exhibit 7 marked for 22 identification.) 23 QUESTIONS BY MR. LANIER: 24 Q. Now, in that you pointed me to 25 this chart.</p>	<p>1 Q. "Birefringent fibers will 2 change color as the microscope stage is 3 rotated." 4 A. Uh-huh. 5 Q. "Asbestos fibers, except 6 crystallite" -- 7 That's one kind of asbestos, 8 right? 9 A. Uh-huh. 10 Q. -- "will show colors as shown 11 here except under the condition of crossed 12 polars and a first order red compensator." 13 So pointed this way is blue; 14 that way is yellow. 15 I see in Exhibit -- 16 A. Wait a minute. 17 Q. -- 3 blue and yellow; is that 18 right, or do I have it wrong? 19 A. Can I see the -- can I see the 20 white paper? 21 Q. Here, I'm going to give you all 22 of this. 23 A. See the white paper. 24 It says crocidolite, which is 25 shown here. So crocidolite -- oh, let's see.</p>
Page 27	Page 29
<p>1 A. Uh-huh. 2 Q. And this chart says -- 3 A. Uh-huh. But you need to look 4 at this set with this chart. 5 Q. Oh, I need to look at -- 6 A. Yeah, with the polarized, yeah. 7 Q. With these two or with these 8 two? Whoops. We got to do some zoom work 9 here. 10 Oh, I see. I've mixed this up. 11 A. You mixed it up. 12 Q. I need do it this way. Right. 13 So I'm going to put Exhibit 3, 14 the blue one on the left, and Exhibit 2, the 15 yellow one on the right. 16 Now, let's do that and have the 17 jury think of that while I show this. 18 A. Yeah, let me think of that, 19 too. I really did it for the other set that 20 you have. 21 Q. Oh, for the other set. Okay. 22 Well, let me do this. Let me 23 read it first, and then we'll put the set up 24 here. 25 A. Uh-huh.</p>	<p>1 Q. Here we go. 2 A. Okay. So you see here that 3 this goes this way -- these -- I have them 4 marked this way so you can see. And you see 5 that this is yellow now. 6 Q. Uh-huh. I see. I see. 7 A. But they're separate. They're 8 not this way, this way. You have separate 9 views, but you can see here now it's yellow, 10 which means that -- 11 Q. Ah, so that's your flipped 12 view. So it's Exhibit Number 6 with 13 number 5. And if we put Exhibit Number 6 up 14 here, it's going to be right here. I've 15 outlined it in red, but that's hard to see. 16 Let me do black. 17 A. Uh-huh, yeah, that's it. 18 Q. All right. So -- and then I'm 19 going to kind of fold it up just to give the 20 jury a chance to see. 21 Right next to the chart, that 22 yellow that we're looking at is the asbestos? 23 A. Uh-huh. 24 Q. Okay. And you're nodding your 25 head and saying "uh-huh," but she's going to</p>

8 (Pages 26 to 29)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 30</p> <p>1 type this up as well. And uh-huhs, even with 2 the great Carrie Campbell, can sometimes read 3 like huh-uhs, so I need to make sure I've got 4 a yes or no out loud, if you don't mind. 5 A. Okay. Yes. 6 Q. All right. So that is -- the 7 yellow like that is the asbestos; is that 8 right? 9 A. That shows us, yes, that -- 10 because of the -- the light goes through at 11 different rates going this way or this way, 12 so that makes a difference when you put this 13 filter in. You can tell the difference 14 between the fast ray and the slow ray. 15 Q. Super. Super. 16 Now, you wrote up papers, and I 17 know in your 1991 paper you actually talked 18 about the fact that there was asbestos in the 19 baby powder. It looks to me like you -- and 20 the jury will have a chance to read this in 21 more detail and see that Sample I, talc 22 Sample I, is actually Johnson & Johnson baby 23 powder. And nobody's fussing that. The 24 company's got those records and -- 25 MR. DUBIN: Object to form.</p> <p style="text-align: right;">Page 31</p> <p>1 QUESTIONS BY MR. LANIER: 2 Q. -- and everything else. So 3 just accept that with me right now. 4 "Percent amphiboles in each 5 aspect ratio group for talc Sample I left and 6 M right compared with tremolite asbestos and 7 tremolite non-asbestiform." 8 So let me ask you as we zoom in 9 on the Johnson & Johnson. Is the asbestos 10 that you found a tremolite asbestos? 11 A. Yes. 12 Q. And you can see this form of 13 it? Is that the dotted line? 14 A. Yes, that's what it -- what 15 the -- what they found out about it. 16 Q. And if we look at your counts 17 in these talcs on an earlier page and we look 18 at that Sample I, which I think the record 19 shows is the Johnson & Johnson baby powder -- 20 MR. DUBIN: Objection. Form. 21 QUESTIONS BY MR. LANIER: 22 Q. -- these particles per 23 milligram, is that how many particles you 24 were finding of the asbestos? 25 A. That's what it's finding on the</p>	<p style="text-align: right;">Page 32</p> <p>1 slides, yeah. 2 Q. Needles and fibers? 3 A. But can we go back just a 4 little bit there? 5 Q. Yes, tell me -- 6 A. The reason that I plot them up 7 like you show there is that it's very 8 difficult sometimes when you look at 9 something to know whether it's a needle or a 10 fiber or, you know, it's something that you 11 have to count or not. 12 But if you have a population -- 13 and we know what the population is because 14 you just marked it. And when I go through 15 and mine line up with that population, then I 16 know it's asbestos. But if it doesn't line 17 up -- it might line up over here with the 18 other side, and then I would know it's not 19 asbestos. 20 Q. Ah, okay. So the other side, 21 because of the sizes and all, is more 22 nonasbestiform, but this is asbestiform, or 23 asbestos, because you've got this ratio down 24 here that's so big; is that it? 25 A. Uh-huh. That's the way --</p> <p style="text-align: right;">Page 33</p> <p>1 that's -- 2 Q. Okay. 3 A. -- their population. 4 Q. All right. So this is -- this 5 is asbestiform asbestos that you were finding 6 in the Johnson & Johnson baby powder that you 7 pulled off the shelf? 8 A. Uh-huh. 9 Q. And you weren't doing this 10 because anybody was paying you money to do 11 it, or were you getting paid to do it? 12 A. No, I wasn't. 13 Well, I had some students 14 working on some talc projects, I guess, so it 15 may -- you know, I may have bought it then to 16 show the students what it looked like, you 17 know. 18 Q. All right. Part of your 19 teaching? 20 A. Yeah. 21 Q. Okay. Very good. 22 I've got some more questions I 23 can ask you that I want to ask you, but I 24 think at this point I'm going to pause and 25 let the other lawyers go because I'm going to</p>
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9 (Pages 30 to 33)

Alice M. Blount, Ph.D.

Page 34	Page 36
<p>1 save these questions and come back with them 2 in a little bit. 3 So I'm going to pause at this 4 point -- no, let me go ahead and ask you a 5 couple more. Bluff. Sorry. 6 MR. DUBIN: I was going to 7 object, but I was waiting. 8 MR. LANIER: Bluff. 9 QUESTIONS BY MR. LANIER: 10 Q. So you live in Vermont and you 11 still test things for asbestos; is that 12 right? Do you still? 13 A. I do -- not much anymore, but a 14 lot of what I did was only I had -- I had 15 property around the world, and we had to test 16 them -- their stuff for asbestos just like we 17 had to test here. So we were doing the 18 testing for all of North America, South 19 America and Pacific Rim. 20 And these companies -- the 21 plants themselves would send the samples to 22 us, and that's -- I spent a lot of time doing 23 that. 24 Q. All right. I've had a chance 25 to look at some representations that Johnson</p>	<p>1 QUESTIONS BY MR. LANIER: 2 Q. All right. And then there's 3 one other letter that I've found interesting, 4 and we'll mark this as Exhibit Number 8. And 5 I'm looking specifically at a letter that you 6 wrote, Alice M. Blount, Ph.D., mineralogist. 7 Is that you? 8 A. Uh-huh, that's me. 9 Q. And is that your signature? 10 A. Yes, that is. 11 Q. In fact, you signed your name 12 in 1998 just about exactly the same way you 13 signed your name for me at the bakery, coffee 14 shop in Rutland, Vermont, when I had you 15 autograph your article. 16 A. Yeah, well... 17 Q. That's 20 years. You sign your 18 name the same way. 19 A. Uh-huh. 20 Q. All right. So we've got your 21 letter here. 22 A. Yeah. 23 Q. And you wrote this letter to a 24 law firm that did asbestos work, Mehaffy and 25 Weber in Beaumont.</p>
Page 35	Page 37
<p>1 & Johnson has made to -- in courts through 2 their lawyers, and just recently in 3 New Jersey, for example, January 29th of 4 1918 -- of 2018. Yeah, real recent. It was 5 a century ago. 6 January 29th of 2018, the 7 Johnson & Johnson lawyer made this 8 representation. Said that "cosmetic talc 9 locations are not favorable for the 10 development of asbestos," and then went on to 11 talk about how asbestos needs "hard surfaces 12 that are cracked to develop, but talc is the 13 softest mineral on earth," so it's in soft 14 places. 15 Based upon your experience and 16 the facts that you've developed, is that 17 true, that cosmetic talc locations are not 18 favorable for the development of asbestos? 19 MR. DUBIN: Objection to form. 20 MR. PROST: Object to form. 21 THE WITNESS: No, I wouldn't 22 say. I wouldn't agree with that, no. 23 (Blount Exhibit 8 marked for 24 identification.) 25</p>	<p>1 Do you see that? 2 A. Uh-huh. 3 Q. You said, "Dear Mr. Hatcher, 4 according to your letter of March 31, 1998, 5 I've written and enclosed a report on the 6 occurrence, regulation and up-to-date 7 scientific views of asbestos, amphiboles and 8 intermediate fibers. I've also enclosed 9 copies of my 1990 and '91 papers, one of 10 which I'm sure you already have." 11 Do you see where I'm reading? 12 A. Uh-huh. 13 Q. Now, you said this: "The 1991 14 paper was written because I became aware it 15 was a common opinion among industrial 16 hygienists that industrial talcs were better 17 than pharmaceutical and cosmetic talcs 18 because there was a regulation for the former 19 and not the latter. I knew this was not the 20 case and wanted to set the record straight." 21 Do you see where I'm reading? 22 A. Uh-huh. 23 Q. "Although my papers report an 24 improved method for analysis" -- 25 And for the jury, we call that</p>

10 (Pages 34 to 37)

Alice M. Blount, Ph.D.

Page 38	Page 40
<p>1 the Blount method, but I'm not -- they can 2 read the paper if they want to see that. 3 -- "the determinations for the 4 sample labeled I, Johnson & Johnson's Vermont 5 talc, have been done by the traditional 6 methods as well." 7 So in addition to your Blount 8 method, did you test it by traditional means? 9 A. Uh-huh, yes. 10 Q. "As I told you, I believe that 11 Johnson & Johnson's Vermont talc contains 12 trace amounts of asbestos which are well 13 below those specified by OSHA." 14 A. Uh-huh. 15 Q. That's what you said, isn't it? 16 A. Uh-huh. 17 Q. "It should be noted that the 18 proposed FDA regulation, which was never 19 finalized, also specified the same .1 percent 20 limit for amphibole asbestos as OSHA." 21 Now, you are not a 22 toxicologist; is that fair? 23 A. That's fair, yes. 24 Q. So you don't know what level is 25 safe or unsafe, and you haven't done studies</p>	<p>1 That means we got this document 2 from Johnson & Johnson; not from you. 3 MR. DUBIN: Object to form. 4 QUESTIONS BY MR. LANIER: 5 Q. Have you even seen this 6 document before I showed it to you? 7 Had you seen this document 8 since you wrote it? 9 A. I don't think so. 10 (Blount Exhibit 9 marked for 11 identification.) 12 QUESTIONS BY MR. LANIER: 13 Q. All right. So if we look, for 14 example, at representations made by the 15 company, here's one on their website. I'll 16 label it as Exhibit Number 9. It talks about 17 the facts about talc safety. 18 February 24, 2016, this is just 19 on the website, blogj&j.com. "Baby powder 20 made from cosmetic talc is one of Johnson's 21 oldest products and a long-time part of baby 22 care ritual." 23 This is the stuff used on 24 babies, right? 25 MR. DUBIN: I'm going to object</p>
Page 39	Page 41
<p>1 on the health effects; you just know asbestos 2 when you see it. 3 Is that right? 4 A. That's right. That's right. 5 Right. 6 MR. DUBIN: Object to form. 7 QUESTIONS BY MR. LANIER: 8 Q. Excellent. 9 And did you let the lawyers 10 know about the Johnson & Johnson talc having 11 these trace amounts of asbestos in this 12 letter? 13 A. Did I tell who? 14 Q. Yeah. 15 Yeah, you didn't hide it, did 16 you? 17 A. No. 18 Q. All right. And by the way, we 19 know that also because down in the corner of 20 this letter -- see, here's the letter. Down 21 in the corner it's got these numbers, 22 J&J-049150. 23 Do you see that? 24 A. Uh-huh. 25 Q. I'll highlight it.</p>	<p>1 to form on that question and have a 2 subsequent objection with the document 3 with this witness. 4 QUESTIONS BY MR. LANIER: 5 Q. Do you see where I'm reading? 6 A. I see that. 7 Q. And all I'm doing is setting up 8 a context here for the statement I'm going to 9 ask you about. 10 "Johnson's baby powder 11 continues to be popular with adults as well, 12 and in many parts of the world, it remains an 13 essential part of makeup and skin care 14 routines." 15 Do you see where it says that? 16 A. Uh-huh. 17 Q. Now, if you look at the very 18 first bullet point here, zoom in a little 19 bit, "A frequent misperception is that 20 Johnson's baby powder contains talc made with 21 asbestos, a substance classified as 22 cancer-causing. Since the 1970s, talc used 23 in consumer products has been required to be 24 asbestos-free." 25 Do you see where I'm reading</p>

11 (Pages 38 to 41)

Alice M. Blount, Ph.D.

Page 42	Page 44
<p>1 that?</p> <p>2 A. Yes.</p> <p>3 Q. Dr. Blount, based upon what you</p> <p>4 know from what you did and your expertise,</p> <p>5 was Johnson & Johnson's baby powder in the</p> <p>6 19 -- since the 1970s asbestos-free or did it</p> <p>7 have asbestos in it?</p> <p>8 MR. DUBIN: Objection. Form.</p> <p>9 THE WITNESS: It had asbestos.</p> <p>10 MR. LANIER: Okay. Thank you.</p> <p>11 I'll pass the witness. Let's</p> <p>12 go off the record.</p> <p>13 VIDEOGRAPHER: Going off the</p> <p>14 record. The time is 9:59.</p> <p>15 (Off the record at 9:59 a.m.)</p> <p>16 (Blount Exhibit 10 marked for</p> <p>17 identification.)</p> <p>18 MR. LANIER: I told Mr. Dubin</p> <p>19 before we started I have told</p> <p>20 Dr. Blount that we would compensate</p> <p>21 her for her time. I know that the</p> <p>22 geologist fact witness for the company</p> <p>23 was charging -- Pooley charged around</p> <p>24 \$400 an hour I think he said. So</p> <p>25 we're going to be paying her that</p>	<p>1 testimony this morning, had you set or</p> <p>2 decided on any particular rate by which you</p> <p>3 would be paid?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. When did you make that</p> <p>6 decision? What rate were you going to be</p> <p>7 paid?</p> <p>8 A. \$400 an hour or something like</p> <p>9 that.</p> <p>10 MR. LANIER: Yeah.</p> <p>11 QUESTIONS BY MR. DUBIN:</p> <p>12 Q. And when was that rate decided</p> <p>13 on?</p> <p>14 A. I don't really know --</p> <p>15 MR. LANIER: Yeah. Yeah, I met</p> <p>16 with her a week ago. So it would have</p> <p>17 been a week ago, probably.</p> <p>18 QUESTIONS BY MR. DUBIN:</p> <p>19 Q. But the actual rate, was that</p> <p>20 just decided during the break that we've had</p> <p>21 in between your testimony for Mr. Lanier?</p> <p>22 A. No.</p> <p>23 Q. Okay. So you're representing</p> <p>24 that the rate was decided on weeks ago?</p> <p>25 MR. LANIER: No, about a week</p>
Page 43	Page 45
<p>1 time. I don't know what her time is.</p> <p>2 I don't know how much time she's got</p> <p>3 in it. Whatever it is, we're going to</p> <p>4 be paying that, and I don't want the</p> <p>5 other side not to be aware of that. I</p> <p>6 told Mr. Dubin but not Mr. Prost or</p> <p>7 the judge. Put that on the record.</p> <p>8 JUDGE NORTON: When Mr. Prost</p> <p>9 comes back in, I'll mention it to him</p> <p>10 if you've started or whatever.</p> <p>11 MR. LANIER: Thank you.</p> <p>12 VIDEOGRAPHER: Back on the</p> <p>13 record. The time 10:05.</p> <p>14 CROSS-EXAMINATION</p> <p>15 QUESTIONS BY MR. DUBIN:</p> <p>16 Q. Hi, Dr. Blount. How are you?</p> <p>17 A. I'm fine.</p> <p>18 Q. Okay. During the break, just</p> <p>19 to address first, counsel who is here with</p> <p>20 you, Mr. Lanier, indicated that you're being</p> <p>21 paid for your time and for the time that you</p> <p>22 met with Mr. Lanier previously; is that</p> <p>23 correct?</p> <p>24 A. That's correct.</p> <p>25 Q. Okay. And prior to your giving</p>	<p>1 ago when I met her, I told her that</p> <p>2 whatever Pooley had charged is what</p> <p>3 we'd -- we'd pay her that hourly rate</p> <p>4 that you-all set for the geologist.</p> <p>5 QUESTIONS BY MR. DUBIN:</p> <p>6 Q. All right. Let's start with</p> <p>7 some basic concepts.</p> <p>8 There have been some words that</p> <p>9 were used, if we can turn on the Elmo.</p> <p>10 All right. Amphibole. What is</p> <p>11 an amphibole?</p> <p>12 A. It's a silicate mineral.</p> <p>13 Q. Does amphibole mean asbestos?</p> <p>14 A. Not -- not always. I think</p> <p>15 there's some that are not considered</p> <p>16 asbestos. It's a group -- amphibole is a</p> <p>17 group of mineral. So, yeah.</p> <p>18 Q. So there are asbestos</p> <p>19 amphiboles and there are non-asbestos</p> <p>20 amphiboles, right?</p> <p>21 A. (Witness nods head.)</p> <p>22 Q. And another word that we were</p> <p>23 talking a good bit about is tremolite?</p> <p>24 A. Uh-huh.</p> <p>25 Q. Now, is there also asbestos</p>

12 (Pages 42 to 45)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 46</p> <p>1 tremolite and non-asbestos tremolite?</p> <p>2 A. Yes, I would say so.</p> <p>3 They're -- because sometimes it's sort of</p> <p>4 blocky and other times it is a definite</p> <p>5 fiber. So you have -- you have to make a</p> <p>6 decision when you see it.</p> <p>7 And that's why I did that graph</p> <p>8 he showed earlier. You can see which ones</p> <p>9 had an asbestiform form shape and which ones</p> <p>10 don't. That's what you have to do to make</p> <p>11 sure that you're getting one that's actually</p> <p>12 asbestos or not.</p> <p>13 Q. Right.</p> <p>14 And so, for example, there's</p> <p>15 another term that's also used.</p> <p>16 A. Cleavage, yeah.</p> <p>17 Q. Fragments, right?</p> <p>18 A. Yeah.</p> <p>19 Q. Cleavage fragments, right?</p> <p>20 Is that a term that you're</p> <p>21 familiar with?</p> <p>22 A. Yes.</p> <p>23 Q. And what is a cleavage</p> <p>24 fragment?</p> <p>25 A. That's the way the mineral will</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. 1996.</p> <p>2 Okay. And then presumably you</p> <p>3 took some out of that bottle to do your</p> <p>4 analysis of Sample I?</p> <p>5 A. Uh-huh.</p> <p>6 Q. And the first analysis that you</p> <p>7 have of Sample I -- I think we looked at this</p> <p>8 document a little bit a second ago. Okay.</p> <p>9 So this was the letter that</p> <p>10 Mr. Lanier showed you to Mr. Hatcher --</p> <p>11 A. Uh-huh.</p> <p>12 Q. -- and it attaches a paper,</p> <p>13 "The Detection and Quantification of Asbestos</p> <p>14 and Other Trace Minerals."</p> <p>15 And that's from -- is that</p> <p>16 1990?</p> <p>17 A. I can't see it from here.</p> <p>18 Q. There's a date on the bottom.</p> <p>19 MR. LANIER: I can't see it.</p> <p>20 QUESTIONS BY MR. DUBIN:</p> <p>21 Q. Well, do you still have a copy</p> <p>22 of the document that --</p> <p>23 A. With everything --</p> <p>24 MR. COOPER: It's in the bottom</p> <p>25 right corner.</p>
<p style="text-align: right;">Page 47</p> <p>1 actually break if you hammer it or something</p> <p>2 so that you can -- you know, you break it.</p> <p>3 It'll break along these cleavage lines, which</p> <p>4 is an inherent structure of the crystal to</p> <p>5 start out with.</p> <p>6 Q. And is it fair to say that a</p> <p>7 cleavage fragment of tremolite is not</p> <p>8 asbestos?</p> <p>9 A. I would say so, although there</p> <p>10 are others that do not -- some people don't</p> <p>11 say that. Some people count everything.</p> <p>12 Q. Right.</p> <p>13 A. But if there's a cleavage</p> <p>14 fragment, I would not count it as asbestos.</p> <p>15 Q. Okay. And so if I understand</p> <p>16 your testimony correctly, your sample that --</p> <p>17 Sample I that you mentioned, you're saying</p> <p>18 that that was a -- bought from a bottle of</p> <p>19 Johnson & Johnson's baby powder?</p> <p>20 A. Yeah. Baby powder, yeah.</p> <p>21 Q. Okay. So when did you purchase</p> <p>22 that bottle?</p> <p>23 A. I think I purchased it right</p> <p>24 before I left New Jersey, which would be</p> <p>25 1996.</p>	<p style="text-align: right;">Page 49</p> <p>1 THE WITNESS: 1990, yeah.</p> <p>2 QUESTIONS BY MR. DUBIN:</p> <p>3 Q. And so we'll go into this a</p> <p>4 little bit in depth, but why is it that you</p> <p>5 remember the timing of when you bought that</p> <p>6 Johnson & Johnson bottle?</p> <p>7 What brings to mind when you</p> <p>8 did it?</p> <p>9 A. Because we were about ready to</p> <p>10 come up here and move -- we were about ready</p> <p>11 to move up here, and I remember I got it</p> <p>12 right before we moved up here.</p> <p>13 Q. So when did you move up here?</p> <p>14 A. 1996.</p> <p>15 Q. Okay. And so one of the things</p> <p>16 about this paper -- and I'm sorry for people</p> <p>17 I'm making seasick with the Elmo -- you have</p> <p>18 an analysis that we talked about a little bit</p> <p>19 before of Sample I.</p> <p>20 Do you see that?</p> <p>21 A. I, yeah.</p> <p>22 Q. All right?</p> <p>23 A. Uh-huh.</p> <p>24 Q. And now that Sample I, did</p> <p>25 you -- did you -- you've done other studies</p>

13 (Pages 46 to 49)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 50</p> <p>1 that involve Sample I, right?</p> <p>2 A. Uh-huh. I think so.</p> <p>3 Q. Okay. And was Sample I always</p> <p>4 the same material, as far as you know, or did</p> <p>5 you switch it around?</p> <p>6 A. It was the same material.</p> <p>7 Q. Okay. So let's look at -- I'm</p> <p>8 going to hand you -- I'll mark this</p> <p>9 separately.</p> <p>10 MR. DUBIN: What number are we</p> <p>11 on?</p> <p>12 (Blount Exhibit 11 marked for</p> <p>13 identification.)</p> <p>14 QUESTIONS BY MR. DUBIN:</p> <p>15 Q. Mark this as 11.</p> <p>16 And do you recognize what I've</p> <p>17 marked -- and I'll just put it up here -- as</p> <p>18 Exhibit 11?</p> <p>19 If you look at this, do you</p> <p>20 recognize this paper? It's the same thing</p> <p>21 that you have in front of you.</p> <p>22 A. Same thing I have...</p> <p>23 Q. The next page is a paper by</p> <p>24 you.</p> <p>25 A. Yes, I see that.</p>	<p style="text-align: right;">Page 52</p> <p>1 of view -- I'll point to it on the...</p> <p>2 A. Which one?</p> <p>3 Q. Do you see Sample I?</p> <p>4 A. I. I. Okay. Uh-huh.</p> <p>5 Q. And so there were no fibers</p> <p>6 detected in that Sample I by the traditional</p> <p>7 methods, right?</p> <p>8 A. Uh-huh.</p> <p>9 Q. Okay. But one thing we know</p> <p>10 then is that Sample I can't be the Johnson &</p> <p>11 Johnson baby powder that you said you bought</p> <p>12 in 1996, right?</p> <p>13 A. That seems so.</p> <p>14 (Blount Exhibit 12 marked for</p> <p>15 identification.)</p> <p>16 QUESTIONS BY MR. DUBIN:</p> <p>17 Q. And the same way we know this</p> <p>18 paper that we've all been talking about --</p> <p>19 I'm going to mark this next, Exhibit 12.</p> <p>20 A. Oh, we're doing this a</p> <p>21 different way.</p> <p>22 Q. Just showing you --</p> <p>23 A. We're doing this one a</p> <p>24 different way. This is a centrifuge way;</p> <p>25 this one's not.</p>
<p style="text-align: right;">Page 51</p> <p>1 Q. Called "Detection and</p> <p>2 Quantification of Asbestos and Other Trace</p> <p>3 Materials {sic}."</p> <p>4 You looked at the front page of</p> <p>5 that before?</p> <p>6 A. Uh-huh.</p> <p>7 Q. And it indicates that this was</p> <p>8 presented at a proceedings of International</p> <p>9 Symposium of Applied Mineralogy in 1989,</p> <p>10 correct?</p> <p>11 A. (Witness nods head.)</p> <p>12 Q. And the date on this paper, we</p> <p>13 were trying to see it before, but now that</p> <p>14 you have your own copy, is it a little easier</p> <p>15 to see at the bottom of page 557 what the</p> <p>16 date is?</p> <p>17 A. Uh-huh. 1990, yeah.</p> <p>18 Q. Okay. And you'll see, for</p> <p>19 example, there's analysis. If you turn to</p> <p>20 Table 2 on 567, there's analysis of a</p> <p>21 Sample I.</p> <p>22 Do you see that?</p> <p>23 A. Sample.</p> <p>24 Q. Under the comparison of values</p> <p>25 obtained by traditional 1 milligram 100 field</p>	<p style="text-align: right;">Page 53</p> <p>1 QUESTIONS BY MR. DUBIN:</p> <p>2 Q. And also here we have this</p> <p>3 paper that -- the other paper Mr. Lanier</p> <p>4 asked you about, "Amphibole Content of</p> <p>5 Cosmetic and Pharmaceutical Talcs," by AM</p> <p>6 Blount.</p> <p>7 This is the paper you wrote,</p> <p>8 you talked about earlier?</p> <p>9 A. Uh-huh.</p> <p>10 Q. And this paper is dated 1991,</p> <p>11 correct?</p> <p>12 A. Uh-huh.</p> <p>13 Q. So whatever we're claiming --</p> <p>14 seeing in Sample I here can't be an analysis</p> <p>15 of the baby powder that you purchased in</p> <p>16 1996, correct?</p> <p>17 A. That was -- this one has --</p> <p>18 what was the date you said?</p> <p>19 Q. This is 1991.</p> <p>20 A. 1991. Well, yeah, I guess</p> <p>21 that's right.</p> <p>22 Q. Okay. So do you know -- now,</p> <p>23 let me also ask you: You maintained the</p> <p>24 samples that you've looked at in these papers</p> <p>25 for many years, right?</p>

14 (Pages 50 to 53)

Alice M. Blount, Ph.D.

Page 54	Page 56
<p>1 A. Some of them, yeah, but not all 2 of them. 3 Q. For example, not very long ago 4 I believe that you gave certain samples to 5 Dr. Mickey Gunter that you had maintained, 6 including Sample I, correct? 7 A. I said it was Sample I. 8 Q. And just so we have it in the 9 record, I'll mark this as next in order. 10 (Blount Exhibit 13 marked for 11 identification.) 12 QUESTIONS BY MR. DUBIN: 13 Q. I know you're not aware of 14 this, but those samples have been made 15 available for testing by both plaintiff and 16 defense experts in this case. 17 MR. LANIER: No. 18 MR. DUBIN: You haven't seen 19 that letter? 20 MR. LANIER: Oh, I've seen the 21 letter, but you-all have not made them 22 available to us yet. 23 MR. DUBIN: Okay. We can -- 24 the letter will speak for itself. 25 THE WITNESS: But I -- that</p>	<p>1 was published? 2 A. No, it would have to be after 3 that. 4 Q. Why is that? 5 A. Because -- well, my 6 recollection is that the older sample was 7 obtained in New Jersey before I came up here. 8 The I that you're talking about 9 is something that I collected up here. 10 Q. Why did you label it then 11 Sample I? 12 A. Well, that's a good question. 13 What I usually did when I 14 was -- when I was collecting samples up here 15 is I usually just gave them a letter rather 16 than any other information on there 17 because -- and I put the number on the 18 bottom, a letter on the bottom, because when 19 I ran them, I didn't want to know who's they 20 were or where they came from. I just wanted 21 to look at them. 22 So, unfortunately, some of the 23 things ended up with a letter that I'd 24 already -- that had already been used before. 25 So that's why I have two letter I's.</p>
Page 55	Page 57
<p>1 sample's not the same one as this 2 other one. 3 QUESTIONS BY MR. DUBIN: 4 Q. So that I is not the same I? 5 A. No. 6 Q. So what is that I? 7 A. What's that I? It's a Vermont 8 talc, but I don't know where it came from. 9 Q. So is that the I that was 10 studied in the 1991 paper, the I that you've 11 provided for testing? 12 A. You mean with the -- that we 13 plotted out, you mean? 14 Q. Right. 15 Is the I that's described in 16 the 1991 paper the same I that you provided 17 to Dr. Gunter? 18 A. Huh-uh, no. 19 Q. So when did you obtain that 20 Sample I? 21 A. Most recent? 22 Can't tell you. I don't know. 23 I'd have to look at my records. 24 Q. Do you know whether you 25 obtained that Sample I before the 1991 paper</p>	<p>1 Q. Well, the other samples that 2 you gave to Dr. Gunter, did those letters 3 correspond to the correct samples back from 4 the 1991 paper? 5 A. No, because they'd have to 6 be -- they were collected up here. 7 Q. So was it -- do you still have 8 samples of other materials back from the 1991 9 papers? 10 A. I don't think so. 11 Q. So what were all those samples 12 that you gave to Dr. Gunter? 13 A. They were samples I collected 14 after I had moved up here. 15 Q. Weren't they from areas other 16 than Vermont? 17 A. They may be because I had some 18 graduate students, and I may have had some 19 talc from them, too. 20 Q. But didn't they all have 21 identification letters that corresponded to 22 the 1991 paper samples? 23 A. I'm not sure. 24 Q. Okay. Now, why did you 25 maintain -- why do you maintain samples? Why</p>

15 (Pages 54 to 57)

Alice M. Blount, Ph.D.

Page 58	Page 60
<p>1 is it your practice to maintain samples? 2 A. I don't know. I like samples. 3 Q. What did the container of 4 Johnson & Johnson that you remember look 5 like -- that you remember using look like? 6 A. You want it? It's in my purse. 7 MR. LANIER: Sure. 8 MR. DUBIN: All right. We'll 9 mark that as the next exhibit in 10 order. 11 (Blount Exhibit 14 marked for 12 identification.) 13 QUESTIONS BY MR. DUBIN: 14 Q. Okay. 15 A. It has some kind of number on 16 the bottom. I don't know if it means 17 anything. 18 Q. Let me see -- 19 MR. LANIER: The bottom is 20 stamped 231 D2, if that helps you. 21 MR. DUBIN: It's stamped 22 231 D2. There's a number on the side 23 that says -- 24 THE WITNESS: It's a cast 25 number. It just says it's talc. The</p>	<p>1 Johnson & Johnson e-mailed you to ask you 2 some questions? 3 Do you recall that at all? 4 A. Huh-uh. 5 (Blount Exhibit 15 marked for 6 identification.) 7 QUESTIONS BY MR. DUBIN: 8 Q. Okay. See if this refreshes 9 your recollection. 10 Do you recall talking to -- do 11 you recall talking to Mr. Cooper in 12 connection with that e-mail? 13 MR. PROST: At some point I'd 14 like to take a look at it, too. 15 QUESTIONS BY MR. DUBIN: 16 Q. Do you recall reviewing a 17 report by Dr. Longo and then talking to 18 Mr. Cooper about what your views were about 19 it? 20 A. No. 21 Q. Do you recall receiving any 22 sort of report of an analysis of baby powder 23 by Dr. Longo? 24 A. Huh-uh. 25 Q. So you don't recall telling</p>
Page 59	Page 61
<p>1 computer tells you it's talc and 2 what -- if it's dangerous or not, and 3 that's what that number... 4 MR. DUBIN: It says, "Baby 5 products company, Skillman, 6 New Jersey, 08558, at J&J PPC." It's 7 got number 3011 DR. 8 QUESTIONS BY MR. DUBIN: 9 Q. And so this is the bottle that 10 you remember purchasing in 1996 before you 11 came up here, correct? 12 A. Uh-huh. 13 Q. Prior to 1996, had you obtained 14 talc from the Windsor area from any other 15 source that you can remember? 16 A. I don't remember. 17 Q. But it's fair to say that if 18 you had obtained talc from the Windsor, 19 Vermont, area prior to 1996, you don't know 20 what the source is, correct? 21 A. That's right. 22 Q. Trying to cut down a little 23 time, so moving around a little. 24 Do you recall sometime last 25 fall that an attorney, Jonathan Cooper, from</p>	<p>1 Mr. Cooper that you thought what he was 2 looking at wasn't asbestos? 3 A. (Witness shakes head.) 4 Q. So fair to say, though, to the 5 extent you've looked at Johnson & Johnson 6 baby powder, you've looked at one bottle? 7 A. No, I looked at -- over time 8 I -- every now and then I get one just to see 9 what it's looking like. 10 Q. Do you have any results of 11 other analysis that you can provide? 12 A. That I can dig out? 13 It would take a long time to 14 find it. Would you like to pay me for... 15 MR. LANIER: I'll make them pay 16 you for that. 17 QUESTIONS BY MR. DUBIN: 18 Q. At least in none of your 19 meetings for Mr. Lanier did he ask you to go 20 find any of that data, right? 21 A. No, he did not. He did not. 22 Q. Is it fair to say, though, that 23 if somebody claims to find, for example, one 24 tremolite structure, right, that happens to 25 be 3 to 1, that doesn't mean that they're</p>

16 (Pages 58 to 61)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 62</p> <p>1 finding asbestos necessarily, right?</p> <p>2 A. Right.</p> <p>3 Q. You would want to go and do</p> <p>4 additional analysis beyond seeing one</p> <p>5 tremolite particle to determine whether it</p> <p>6 was really asbestos or not, right?</p> <p>7 A. Right.</p> <p>8 Q. Okay. And you were asked about</p> <p>9 whether you had views on health effects,</p> <p>10 so -- but you're aware that there aren't</p> <p>11 studies showing that the nonasbestiform</p> <p>12 tremolites cause cancer, right?</p> <p>13 A. Right.</p> <p>14 Q. And is it your view that the</p> <p>15 nonasbestiform forms of tremolite do not</p> <p>16 cause cancer?</p> <p>17 MR. LANIER: I want to put an</p> <p>18 objection to form. We are not</p> <p>19 offering her as an expert. I don't</p> <p>20 think anyone has.</p> <p>21 MR. DUBIN: I think you've</p> <p>22 referred multiple times to her</p> <p>23 expertise in your questions, but we'll</p> <p>24 resolve it.</p> <p>25</p>	<p style="text-align: right;">Page 64</p> <p>1 look at Dr. Longo's report, right, the e-mail</p> <p>2 from Mr. Cooper?</p> <p>3 Do you see that?</p> <p>4 A. E-mail from Mr. Cooper?</p> <p>5 Q. Well, let me ask you: Did</p> <p>6 Mr. Lanier ever ask you to look at an</p> <p>7 expert's report called -- an individual,</p> <p>8 Dr. Longo, to see what your thoughts were</p> <p>9 about it?</p> <p>10 A. I don't remember.</p> <p>11 Q. Okay. And if somebody was to</p> <p>12 say that they didn't do an analysis by</p> <p>13 optical microscopy, by PLM, PCM, because you</p> <p>14 just can't see asbestos with it, would that</p> <p>15 be correct or incorrect?</p> <p>16 A. That's incorrect.</p> <p>17 Q. Okay. And in your 1992 --</p> <p>18 sorry, '91 article, you listed out the</p> <p>19 densities of various materials so that you</p> <p>20 could -- because you were using a heavy</p> <p>21 density liquid separation technique, correct?</p> <p>22 A. Yes.</p> <p>23 Q. So, for example, this is what</p> <p>24 we're talking about, this 1991 paper.</p> <p>25 Now, before I ask you that,</p>
<p style="text-align: right;">Page 63</p> <p>1 QUESTIONS BY MR. DUBIN:</p> <p>2 Q. Again, you're of the opinion</p> <p>3 that nonasbestiform tremolite does not cause</p> <p>4 cancer, right?</p> <p>5 That's been your opinion?</p> <p>6 A. I don't know.</p> <p>7 Q. Okay. But certainly you can't</p> <p>8 just come in and say that every tremolite</p> <p>9 particle that's over 3 to 1 that you find,</p> <p>10 that's asbestos, right?</p> <p>11 A. (Witness nods head.)</p> <p>12 Q. That wouldn't be a proper</p> <p>13 methodology?</p> <p>14 A. I mean -- I mean, I've been to</p> <p>15 conference and conference of geologists</p> <p>16 arguing about what is asbestos and what is</p> <p>17 not asbestos. So, I mean, geologists have</p> <p>18 not really reached a final conclusion on this</p> <p>19 either.</p> <p>20 The ASTM meetings I've been to,</p> <p>21 I don't know how many of them, and this is</p> <p>22 always the discussion, you know.</p> <p>23 Q. Okay. And to be fair, I know</p> <p>24 you don't recall, but that e-mail suggests</p> <p>25 that we did at some point ask you to take a</p>	<p style="text-align: right;">Page 65</p> <p>1 first, did you consider at the time this</p> <p>2 method to be experimental in nature?</p> <p>3 A. No.</p> <p>4 Q. The page here, you have various</p> <p>5 densities for materials -- I know it's hard</p> <p>6 to see, I'll try to zoom in -- including</p> <p>7 anthophyllite, tremolite, actinolite and</p> <p>8 talc, right?</p> <p>9 A. Uh-huh.</p> <p>10 Q. Was this method that you</p> <p>11 developed capable of separating out and</p> <p>12 detecting anthophyllite if it was there?</p> <p>13 A. Should be.</p> <p>14 Q. Okay. So if someone were to</p> <p>15 say that using your method, even if there was</p> <p>16 anthophyllite in a sample, they couldn't see</p> <p>17 it, that would be wrong, correct?</p> <p>18 A. It depends how they do the</p> <p>19 method. Because I -- to do this, I had to go</p> <p>20 through each mineral, and I had to find out</p> <p>21 its density.</p> <p>22 Q. Right.</p> <p>23 A. And I had to know what liquid</p> <p>24 to use, what density liquid. So it depends</p> <p>25 on what you're running together, and once you</p>

17 (Pages 62 to 65)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 66</p> <p>1 know that, you can figure out what liquid to 2 use. 3 You just can't take what's 4 written here and just do it that -- you know, 5 with that -- with those numbers. 6 Q. Right. Precisely. 7 You chose a liquid density that 8 would allow you to see not only tremolite but 9 other forms of amphibole, correct? 10 A. And I tested them out to see 11 what their density was, and then I had to 12 purchase a heavy liquid that fit right 13 between talc and these other ones so that I 14 could separate them out in -- what would come 15 to the bottom when I centrifuged it. And 16 then I took a little tiny pipette and I 17 removed those things from the bottom, and 18 that's what went onto my glass slides. 19 Q. Okay. And so if somebody 20 decides to use a different density liquid, 21 they're not using the same method you were? 22 A. Or if they're doing a different 23 density mineral, they would have to go 24 through that and decide which -- what liquid 25 they need to use.</p>	<p style="text-align: right;">Page 68</p> <p>1 for -- in this method. 2 Q. So you agree then that when 3 you're analyzing talc for asbestos, it's best 4 to start with an optical microscopy method 5 like PLM? 6 A. Right. 7 Q. And then you can take another 8 step, potentially, and also look at something 9 like transmission electron microscopy? 10 A. If you wanted to get a real 11 close-up view of that. But TEM is not good 12 for identifying lots of times. It's just 13 looking for the structures. 14 Q. Right. 15 PLM, one of the things that 16 it's better at than TEM is identifying 17 whether you're really looking at asbestos or 18 not as opposed to look -- just focusing on 19 something that may be a non-asbestos 20 amphibole, right? 21 A. Uh-huh. 22 Q. And so if you skip the PLM 23 stage, you're missing out on a lot of 24 important information that helps you tell 25 whether you're really looking at asbestos or</p>
<p style="text-align: right;">Page 67</p> <p>1 Q. And so if somebody, for 2 example, selected a density of liquid that 3 didn't allow them to see anthophyllite, they 4 could make that decision, but then it would 5 be a different method? 6 A. Uh-huh. 7 Q. Right? 8 A. Uh-huh. 9 Q. And you don't know what 10 method -- 11 A. I don't know what -- 12 Q. -- Dr. Longo used in this case? 13 A. I don't know the density of 14 anthophyllite right off my head either. 15 Q. Do you have an opinion on the 16 comparative ability of the TEM, transmission 17 electron microscopy, and something like 18 optical microscopy to resolve asbestos fibers 19 or see asbestos fibers? 20 A. TEM I would not do until after 21 I had done this, if I really want to look at 22 those, because sometimes when you get fibers, 23 you get them -- they're bundles. So that's 24 when we go to the TEM or -- to see those 25 fibers. Otherwise, I wouldn't be using them</p>	<p style="text-align: right;">Page 69</p> <p>1 not, correct? 2 A. Uh-huh. 3 Q. And in your view, in general, 4 to determine whether or not something is 5 asbestos or not, you don't want to just look 6 at one single structure; you want to look at 7 the characteristics of the population of the 8 fibers, right? 9 A. Uh-huh. 10 Q. Okay. And ignoring the 11 characteristics of the population of the 12 fibers is not, I take it, good science in 13 your view? 14 A. I don't think so, yeah. 15 Q. All right. And again, 16 Mr. Lanier didn't share with you any of the 17 reports or opinions of the experts like 18 Dr. Longo or Dr. Compton that he intends to 19 offer to the jury in this case, correct? 20 A. I didn't see any. 21 Q. Okay. And are you aware that a 22 number of other researchers over time have 23 looked at Johnson & Johnson material to 24 determine whether or not they believe that it 25 has asbestos in it?</p>

18 (Pages 66 to 69)

Alice M. Blount, Ph.D.

Page 70	Page 72
<p>1 A. Oh, I assume they have.</p> <p>2 Q. Okay. And let me just ask you</p> <p>3 whether you're familiar with some of them</p> <p>4 or -- at the time. I'll mark this as next in</p> <p>5 order.</p> <p>6 (Blount Exhibit 16 marked for</p> <p>7 identification.)</p> <p>8 QUESTIONS BY MR. DUBIN:</p> <p>9 Q. Is this a paper that you're</p> <p>10 familiar with?</p> <p>11 A. No.</p> <p>12 Q. Occupational Exposures. I'll</p> <p>13 put it up here.</p> <p>14 So this is not something --</p> <p>15 when you were asked this morning by</p> <p>16 Mr. Lanier about the presence of asbestos in</p> <p>17 Johnson & Johnson products, it's not</p> <p>18 something that you had had an opportunity to</p> <p>19 consider before expressing any views you have</p> <p>20 about that, right?</p> <p>21 A. Say that again?</p> <p>22 Q. Well, you were asked this</p> <p>23 morning by Mr. Lanier about whether there's</p> <p>24 asbestos in Johnson & Johnson baby powder,</p> <p>25 but this isn't something, this paper isn't</p>	<p>1 people, so why is that?</p> <p>2 Q. Do you know who John Dement is</p> <p>3 at -- was it NIOSH now?</p> <p>4 A. But he never comes to meetings</p> <p>5 or anything that we're having on asbestos.</p> <p>6 Q. Okay. Are you familiar with an</p> <p>7 organization McCrone, McCrone Industries?</p> <p>8 A. Uh-huh.</p> <p>9 Q. And you've cited to some of</p> <p>10 their work over time analyzing asbestos?</p> <p>11 A. Uh-huh.</p> <p>12 Q. Were you aware that McCrone was</p> <p>13 doing routine analysis of Johnson & Johnson</p> <p>14 talc for asbestos by transmission electron</p> <p>15 microscopy?</p> <p>16 A. Huh-uh.</p> <p>17 (Blount Exhibit 17 marked for</p> <p>18 identification.)</p> <p>19 QUESTIONS BY MR. DUBIN:</p> <p>20 Q. I know you haven't had an</p> <p>21 opportunity, I assume, to look at --</p> <p>22 Mr. Lanier didn't show you this document when</p> <p>23 he was preparing you to testify today,</p> <p>24 correct?</p> <p>25 MR. LANIER: Objection. Form.</p>
Page 71	Page 73
<p>1 something, that you were -- had considered in</p> <p>2 expressing any views you have about that,</p> <p>3 right, because you haven't read it?</p> <p>4 A. No, I haven't read it. No.</p> <p>5 Q. For example, this is</p> <p>6 individuals, Maryanne Boundy, William</p> <p>7 Burgess, John Dement, who is at NIOSH. And</p> <p>8 did you know that they went in to do a study</p> <p>9 of the Vermont mill and mine that made --</p> <p>10 that provided the source talc for Johnson &</p> <p>11 Johnson baby powder?</p> <p>12 A. Huh-uh.</p> <p>13 Q. And that they did -- they took</p> <p>14 product samples and they took air samples and</p> <p>15 that they analyzed those using techniques</p> <p>16 like PLM, optical microscopy and transmission</p> <p>17 electron microscopy?</p> <p>18 A. Huh-uh.</p> <p>19 Q. And that their conclusion was</p> <p>20 that there was no asbestos?</p> <p>21 You haven't seen that before?</p> <p>22 A. No.</p> <p>23 But I guess my question here</p> <p>24 is: I've been to so many asbestos</p> <p>25 conferences, and I have never heard of these</p>	<p>1 THE WITNESS: Yes.</p> <p>2 QUESTIONS BY MR. DUBIN:</p> <p>3 Q. Okay. And so this is a letter</p> <p>4 from McCrone -- McCrone Industries.</p> <p>5 A. Yeah, I know of them.</p> <p>6 Q. Yeah, McCrone Associates,</p> <p>7 sorry.</p> <p>8 A. Go ahead.</p> <p>9 Q. 1987. And it's talking about</p> <p>10 something with the EPA. It says, "The</p> <p>11 Illinois EPA wrote to Windsor Minerals to the</p> <p>12 effect that they were satisfied that</p> <p>13 Windsor's product is free of asbestos. That</p> <p>14 has always been our opinion and continues to</p> <p>15 be our opinion based on over 15 years of</p> <p>16 closely examining this product."</p> <p>17 And again, this was not</p> <p>18 something that you read or were shown by</p> <p>19 Mr. Lanier to talk about your views today,</p> <p>20 correct?</p> <p>21 MR. LANIER: Objection. Form.</p> <p>22 QUESTIONS BY MR. DUBIN:</p> <p>23 Q. Right?</p> <p>24 A. Right.</p> <p>25 Q. And are you aware that the FDA</p>

19 (Pages 70 to 73)

Alice M. Blount, Ph.D.

Page 74	Page 76
<p>1 has done testing of talc for the presence of 2 asbestos? 3 Have you seen those testing 4 results? 5 A. Huh-uh. 6 Q. Okay. And you didn't look for 7 purposes of your 1991 paper at any Chinese 8 talc, correct? 9 A. No, I don't think so. 10 Q. And you did look, though -- 11 some of the other samples that you looked at 12 for your paper were raw ore samples from talc 13 from Vermont and ore samples from talc in 14 Italy, correct? 15 A. Well, it's -- raw samples? 16 Q. Well, what did you look at -- 17 what else did you look at from Vermont? 18 Sorry, I apologize. 19 A. Only what's in the talc 20 business. And I was working for them and 21 I -- and I analyzed those. And those were 22 coming in from Newfane and a Troy deposit. 23 And they were being processed in Chester and 24 in -- what's -- Johnson mills, and they came 25 to us. And then I had to analyze them</p>	<p>1 further, but cleavages and needles which -- 2 could be. Could be. 3 Q. Well, let's look at the 4 front -- let's look at the front of the 5 paper. 6 A. Uh-huh. 7 Q. You say, "Only one of the 8 samples was found to contain an amphibole 9 particle size distribution typical of 10 asbestos," correct? 11 Do you see that in the 12 abstract? "Only one"? 13 A. Oh, in the abstract. Okay. 14 "Only one found to contain 15 amphibole particles of size distribution of 16 typical asbestos." 17 Yeah, I agree. 18 Q. So that means the rest of the 19 samples, other than I, did not contain a 20 particle size distribution of amphibole 21 typical of asbestos, right? 22 A. Yeah, we've done this kind of 23 a -- we would have done this to see what the 24 distribution was. 25 Q. And that would include the</p>
Page 75	Page 77
<p>1 completely before they were -- became 2 products that the company would sell. 3 So I haven't had a chance to 4 look at those. 5 Q. So let's start first with just 6 Italian. 7 Did you look in the 1991 paper 8 also at Italian talc? 9 A. I think one of them was. 10 Q. And was your conclusion that 11 there was not asbestos in the Italian talc? 12 A. Do we have that paper? I think 13 I did. I'm not sure. 14 MR. LANIER: 1991? 15 MR. DUBIN: Yeah. 16 QUESTIONS BY MR. DUBIN: 17 Q. Is Italian talc H? 18 A. Let's see. Yes, something like 19 that. Let's see. 20 Well, in this paper it says 21 cleavages and needles. 22 Q. So your conclusion -- that was 23 not one of the samples that you identified 24 asbestos in, correct? 25 A. I guess I would have to look</p>	<p>1 Italian talc that you looked at and other 2 Vermont talcs that you looked at, correct? 3 A. Some -- I don't know if all of 4 them, but some of them are. 5 These were pretty much the ones 6 we were running to check our own deposits 7 that -- only its own deposits. 8 Q. Right. And so -- 9 A. But I know there was an 10 Italian, I remember that being there, but I 11 can't tell you right now which one it was. 12 Q. But fair to say that for the 13 Italian talc that you looked at, you didn't 14 find an amphibole particle size distribution 15 typical of asbestos, right? 16 A. Uh-huh. 17 Q. And you also, for the other 18 Vermont samples that you looked at, whatever 19 they are, you didn't find an amphibole 20 particle size distribution typical of 21 asbestos, right? 22 A. Yes, I think that's right. 23 Q. And just to clarify also, the 24 photos that Mr. Lanier showed of Sample I, do 25 you have other photos also, or are those all</p>

20 (Pages 74 to 77)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 78</p> <p>1 the photos that you have from that process?</p> <p>2 A. I don't think so. I don't</p> <p>3 think I have -- we had -- we had -- the</p> <p>4 problem was that when we moved its</p> <p>5 headquarters to Cincinnati, they got a new</p> <p>6 director to track that lab, and he threw out</p> <p>7 practically everything we had down here in</p> <p>8 Vermont. So a lot of that stuff was lost,</p> <p>9 and I'm afraid there's no way I can get it</p> <p>10 back.</p> <p>11 Q. So where did you get these</p> <p>12 photos?</p> <p>13 A. These were ones I already had,</p> <p>14 already printed out and, you know, I had</p> <p>15 those. But I have done a lot more work since</p> <p>16 then, and that does not exist anymore.</p> <p>17 Q. Okay. Did Mr. Lanier ask you</p> <p>18 to try to find any other photos that you had</p> <p>19 from your work or just those photos that you</p> <p>20 brought today?</p> <p>21 A. Well, I was looking through to</p> <p>22 see what I had, but knowing pretty much the</p> <p>23 timeline, I know at one point the new</p> <p>24 director decided to throw all of that stuff</p> <p>25 out, so...</p>	<p style="text-align: right;">Page 80</p> <p>1 CROSS-EXAMINATION</p> <p>2 QUESTIONS BY MR. PROST:</p> <p>3 Q. Good morning, Dr. Blount. My</p> <p>4 name is Mark Prost, and I represent a company</p> <p>5 called Imerys Talc America.</p> <p>6 A. Uh-huh.</p> <p>7 Q. Nice to meet you.</p> <p>8 A. Hi.</p> <p>9 Q. Now, you and I have never met</p> <p>10 or talked before; is that right?</p> <p>11 A. Right.</p> <p>12 Q. And I have not had coffee with</p> <p>13 you or had dinner with you, and I haven't</p> <p>14 sent you any information or e-mails or</p> <p>15 anything like that, have I?</p> <p>16 A. That's right, you haven't.</p> <p>17 Q. And has anyone from Imerys</p> <p>18 contacted you or tried to talk to you before</p> <p>19 the deposition?</p> <p>20 A. I don't think so.</p> <p>21 Q. All right. And I will say I</p> <p>22 would like to maybe have coffee with you,</p> <p>23 because I lived in Carbondale, Illinois, just</p> <p>24 like you did. I went to law school there.</p> <p>25 So maybe after the deposition we can catch up</p>
<p style="text-align: right;">Page 79</p> <p>1 Q. All right. And one of the</p> <p>2 things that you note in your conclusion</p> <p>3 section here is, "High grade talc powders are</p> <p>4 uniformly low in amphibole content. Indeed,</p> <p>5 talc from some districts appears to be</p> <p>6 completely free of such minerals."</p> <p>7 Do you see that?</p> <p>8 A. Uh-huh.</p> <p>9 Q. So if an expert for the</p> <p>10 plaintiffs was to testify there is no such</p> <p>11 thing as asbestos-free talc, is that true?</p> <p>12 A. There's no such thing...</p> <p>13 Q. If their experts would say it</p> <p>14 doesn't exist, there's no such thing as</p> <p>15 asbestos-free talc, is that true?</p> <p>16 A. No.</p> <p>17 MR. DUBIN: Okay. Let's take a</p> <p>18 five-minute break. I'll check my</p> <p>19 notes and see if I have anything else;</p> <p>20 otherwise, I'll pass back.</p> <p>21 VIDEOGRAPHER: Going off the</p> <p>22 record. The time is 10:50.</p> <p>23 (Off the record at 10:50 a.m.)</p> <p>24 VIDEOGRAPHER: Back on the</p> <p>25 record. The time is 10:54.</p>	<p style="text-align: right;">Page 81</p> <p>1 a little bit.</p> <p>2 Now, with the materials that</p> <p>3 Mr. Lanier showed you, did he show you any</p> <p>4 testing materials that my company, Imerys,</p> <p>5 had done regarding Vermont talc?</p> <p>6 A. I don't think so.</p> <p>7 Q. So there's going to be a woman</p> <p>8 from Imerys named Julie Pier who will</p> <p>9 testify, and the jury will hear about her,</p> <p>10 but she's going to talk about the testing</p> <p>11 that Imerys did.</p> <p>12 Are you aware of any of the</p> <p>13 testing that Imerys did or the results of</p> <p>14 that testing of Vermont talc?</p> <p>15 A. No.</p> <p>16 Q. You would agree it's a good</p> <p>17 thing for a talc company to test its talc to</p> <p>18 see if there is asbestos there, right?</p> <p>19 A. Right.</p> <p>20 Q. And would you expect a talc</p> <p>21 company to test for all kinds of asbestos</p> <p>22 such as tremolite and chrysotile?</p> <p>23 A. Uh-huh, yeah.</p> <p>24 Q. Now, your method, as I</p> <p>25 understand it, is designed to test for</p>

21 (Pages 78 to 81)

Alice M. Blount, Ph.D.

Page 82	Page 84
<p>1 amphiboles but not chrysotile asbestos; is 2 that right? 3 A. I think you could do both. 4 Depends on, you know, which one it is, yeah. 5 Q. But as I understand it, your 6 heavy liquid density testing is designed such 7 that chrysotile is not going to be found 8 after that -- after the preparation is done. 9 They're not as likely to be found; is that 10 right? 11 A. Yeah, that's probably right. 12 Q. So if a talc company wanted to 13 test its talc to see if there's chrysotile 14 asbestos, it probably wouldn't be a good idea 15 to use your preparation method; is that -- 16 A. You just have to recalibrate 17 for whatever you are -- whatever mineral you 18 are interested in. 19 Q. All right. Now, my 20 understanding is the reason you developed 21 your technique was so you could test the talc 22 faster. Is that a fair way to describe it? 23 Why did you develop your 24 method? 25 A. I developed my method because I</p>	<p>1 I can look at the stuff I'm interested in and 2 the talc won't bother me, won't be in my way 3 so I can't find things. 4 Q. All right. When you developed 5 your method, was it your intention for it to 6 be used by lawyers or experts in litigation 7 to try to prove that asbestos was causing 8 someone's cancer? 9 A. No, I did it because only I 10 needed to know whether they had good talc or 11 not. And in fact, the two deposits that they 12 had at that time they no longer have because 13 they know what's in there, and that's what 14 they needed to know. 15 Q. And the two talc deposits, what 16 are you referring to? 17 A. I'm referring to Troy and 18 Newfane. 19 Q. Do you have any idea if Imerys 20 has ever mined talc from those two deposits? 21 A. I don't know. 22 MR. PROST: Ma'am, those are 23 all the questions that I have right 24 now, but I might have some later and I 25 might come back. Thank you.</p>
Page 83	Page 85
<p>1 wanted to be able to find the asbestos in 2 there, and most of the time there was so much 3 talc you couldn't find anything. And also 4 the asbestos fibers sometimes hid underneath 5 the talc particles, so I wanted to separate 6 them so I could see them and measure them. 7 And I couldn't do in its original condition. 8 Q. Now, there is an older way of 9 testing talc for asbestos that people were 10 doing before your method that took a lot 11 longer to do; is that true? Because of the 12 problems you just described? 13 A. I don't know how they did it. 14 Q. So, but one of the problems you 15 were coming across and why you tried to 16 develop your method was that when you were 17 testing pharmaceutical or cosmetic-grade 18 talc, there was such extremely low levels of 19 amphiboles that it was taking too much time 20 to do it, and you wanted to find a faster 21 method; is that fair? 22 A. No, I wanted to be able to find 23 it. You can't find it if you've got all of 24 that talc covering over what you're looking 25 for. So that's why I separate them, and then</p>	<p>1 VIDEOGRAPHER: Going off the 2 record -- 3 MR. LANIER: We don't need to 4 go off the record. We're going to 5 move. 6 MR. DUBIN: Should I have a 7 running objection to form or you want 8 me to make them all the time? 9 JUDGE NORTON: No, you don't 10 have to. I'll let Mr. Lanier tell me 11 if he wants to change that. 12 You know, I see the objections 13 to form being made primarily so that 14 if the counsel had asked a question 15 was to call you out and say what's 16 wrong with the form, that's the only 17 way to make sure -- if he doesn't 18 care -- 19 MR. LANIER: I don't care. 20 JUDGE NORTON: -- then they're 21 all preserved. 22 MR. DUBIN: All right. That's 23 great. That's what I figured. 24 JUDGE NORTON: So much easier. 25 I appreciate that.</p>

22 (Pages 82 to 85)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 86</p> <p>1 REDIRECT EXAMINATION 2 QUESTIONS BY MR. LANIER: 3 Q. All right. Dr. Blount, I want 4 to ask you some questions to clarify what's 5 been asked by the lawyers for Johnson & 6 Johnson and Imerys. 7 Okay? 8 A. Uh-huh. 9 Q. First of all, the Johnson & 10 Johnson lawyer asked you, are there different 11 kinds of amphiboles in tremolite, and you 12 said yes. 13 Remember that? 14 A. Uh-huh. 15 Q. My question, the important one, 16 is did you find tremolite asbestos in an 17 asbestiform in Johnson & Johnson baby powder? 18 Did you? 19 A. Yeah. 20 Q. Next subject. I was having 21 trouble understanding about 1996, 1991, 1989, 22 purchase of baby powder. 23 Did you test Johnson & Johnson 24 baby powder more than once? 25 A. Yes.</p>	<p style="text-align: right;">Page 88</p> <p>1 would have a letter I or maybe a letter A or 2 a letter B or a letter C for the different 3 samples, but would you change it each time? 4 A. Would I change it? 5 Q. Yeah. In other words, I 6 thought -- explain this to the jury. 7 You were telling Mr. Dubin you 8 assigned the letters so that it would be 9 blind. 10 A. Uh-huh. 11 Q. What does that mean? Explain 12 to the jury what you meant. 13 A. Because I didn't want to know 14 which company it was from. I wanted to -- 15 you know, because I think you might get bias 16 that way and I didn't want to. I wanted to 17 be fair. 18 Q. So if Mr. Dubin thought that 19 you would always give an I to Johnson & 20 Johnson, then it wouldn't be blind at all, 21 would it? 22 A. That's right. 23 Q. So would your I -- sometimes it 24 might be Johnson & Johnson -- 25 A. Uh-huh.</p>
<p style="text-align: right;">Page 87</p> <p>1 Q. And you may have written it up 2 once in a paper, but over the process of 3 however many times you tested it, did you 4 consistently find asbestos in it? 5 MR. DUBIN: Objection to form. 6 THE WITNESS: Yes. 7 QUESTIONS BY MR. LANIER: 8 Q. Now, you noticed when Mr. Dubin 9 handed you a different paper than the one you 10 and I had discussed -- it was a book 11 chapter -- 12 A. Uh-huh. 13 Q. -- you said that was a 14 different method, it was done at different 15 times. 16 I guess this goes back to the 17 other. Have you done these tests more than 18 once? 19 A. Which tests are we talking 20 about? 21 Q. Tests to see if there's 22 asbestos in Johnson & Johnson baby powder. 23 A. Yeah. 24 Q. All right. And then each time 25 you did it, if you had enough samples, you</p>	<p style="text-align: right;">Page 89</p> <p>1 Q. -- sometimes not; is that fair? 2 A. Yes, that's fair. 3 Q. That's how you make it blind, 4 right? 5 A. Right. 6 Q. All right. Next section, next 7 area, topic. Different methods of different 8 experts. 9 Now, Mr. Dubin put his own spin 10 into how he asked these questions -- 11 MR. DUBIN: Objection to form. 12 QUESTIONS BY MR. LANIER: 13 Q. -- and I want to make sure that 14 we're clear. 15 Before you criticize other 16 people and decide whether their science is 17 good or bad, would you want time to actually 18 look at what they did and understand it? 19 A. Uh-huh. 20 Q. Is it important to you to study 21 what they did and why they did it before you 22 criticize them? 23 A. Yeah. 24 Q. Thank you. 25 And in that same vein, if</p>

23 (Pages 86 to 89)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 90</p> <p>1 different methods are used by different 2 experts, would you agree that companies 3 should use the best method that actually 4 finds asbestos if they want to find it? 5 A. Yes. 6 Q. Is that important? 7 A. That's important. 8 Q. I mean, the company shouldn't 9 be playing -- okay. I got a 20-month-old 10 granddaughter. 11 MR. DUBIN: Object to form. 12 QUESTIONS BY MR. LANIER: 13 Q. And she's at the age now where 14 she likes to play hide and seek. 15 A. Uh-huh. 16 Q. And she'll play hide and seek 17 by pulling a napkin over her head at the 18 table, and I pretend I can't see her. And 19 she believes me when she drops the napkin 20 down and wants me to exclaim "there you are!" 21 Are you with me? 22 A. Uh-huh. 23 Q. I mean, a company should not be 24 playing hide and seek. A company should 25 really try to look for asbestos.</p>	<p style="text-align: right;">Page 92</p> <p>1 MR. DUBIN: Objection. Form. 2 THE WITNESS: No, you didn't. 3 QUESTIONS BY MR. LANIER: 4 Q. So, for example, when the 5 lawyers start asking you about this and they 6 talked about -- Mr. Dubin talked about what 7 McCrone said, I didn't even remotely get into 8 you about what Mr. McCrone -- or what McCrone 9 would say for J&J or for another company or 10 whatever versus what the truth is. 11 You and I never talked about 12 McCrone's testing, did we? 13 A. No, but he's dead anyway. 14 Q. He's dead anyway. 15 Is truth important in science? 16 A. Yes. Yes. Yes. 17 Q. Is it important that companies 18 tell the truth? 19 A. Yeah. 20 MR. DUBIN: Objection. Form. 21 QUESTIONS BY MR. LANIER: 22 Q. And so if, for example, we see 23 the Exhibit 16 that you were asked about 24 where -- or as Mr. Dubin showed from the 25 McCrone letterhead this comment that</p>
<p style="text-align: right;">Page 91</p> <p>1 Would you agree with that? 2 A. Yeah. 3 MR. DUBIN: Objection. Form. 4 QUESTIONS BY MR. LANIER: 5 Q. Now, next topic. A lot of 6 questions were asked by Mr. Dubin, and I 7 think even one by Mr. Prost, about what I 8 showed you, when Mr. Lanier and Mr. Dubin 9 said this -- this is lawyer questioning: 10 "When Mr. Lanier prepared to you testify." 11 Ma'am, I didn't prepare you to 12 testify in the sense of anything other than 13 just explain to you what a deposition is and 14 ask you to tell the truth; is that right? 15 A. That's right. 16 Q. And I didn't show you things, 17 you showed me things, because I just wanted 18 to know what you knew; is that fair? 19 MR. DUBIN: Objection. Form. 20 THE WITNESS: Uh-huh. 21 QUESTIONS BY MR. LANIER: 22 Q. I wanted to know what you did, 23 and that's all we talked about. I didn't 24 talk to you about what McCrone did, what 25 Julie Pier did or any of that, did I?</p>	<p style="text-align: right;">Page 93</p> <p>1 "Windsor's product is free of asbestos. 2 That's always been our opinion and continues 3 to be our opinion based over 15 years of 4 closely examining this product." 5 Do you see that? 6 A. Uh-huh. 7 Q. That's what was shown to you 8 just now by Mr. Dubin. 9 What Mr. Dubin never showed you 10 is what I'll mark as Exhibit Number 18. 11 (Blount Exhibit 18 marked for 12 identification.) 13 QUESTIONS BY MR. LANIER: 14 Q. Exhibit Number 18 is from that 15 same McCrone, the people who told everybody 16 that it's free of asbestos, that it's always 17 been their opinion after 15 years of closely 18 examining -- you can go back 12 years before 19 that, and that same McCrone says to Windsor, 20 the mine company, "We've analyzed your latest 21 series of 24 talc ore samples for asbestiform 22 minerals. In our entire series, we found 23 only two asbestiform fibers, both 24 amphiboles." 25 They made this with a</p>

24 (Pages 90 to 93)

Alice M. Blount, Ph.D.

Page 94	Page 96
<p>1 transmission electron microscope. So they 2 found two in that sample that they did that 3 day. 4 Do you see that? 5 A. Right. 6 Q. And yet they'll tell everyone 7 else that it's free of asbestos, Windsor's 8 product is free of asbestos, always been our 9 opinion. 10 Is it important that what you 11 tell the world be the truth that you actually 12 know? 13 Is that important? 14 A. Yeah. 15 Q. I mean, would you say if you 16 analyzed something, and in these 24 samples 17 that you got on this day you found a couple 18 of asbestiform fibers that were amphiboles -- 19 MR. DUBIN: Objection. Form. 20 QUESTIONS BY MR. LANIER: 21 Q. -- would you say that it's 22 asbestos-free? 23 A. No. 24 MR. DUBIN: Objection. Form. 25 (Blount Exhibit 19 marked for</p>	<p>1 references. The answer is obvious on who 2 wrote it. Regardless, I cannot agree with 3 the position. We just don't have enough 4 facts. Geologically, it doesn't make sense 5 to me you can have a mineral deposit that 6 just contains nonasbestiform tremolite. I 7 believe the USGS study of talc from Death 8 Valley, California, nailed it correctly. If 9 a deposit contains nonasbestiform tremolite, 10 there is also asbestiform tremolite naturally 11 present as well." 12 Would you agree with that? 13 In other words, if you've got 14 non -- 15 A. If you have -- I'm trying to -- 16 Q. Oh, I'm sorry. 17 A. So he said nonasbestiform 18 tremolite... 19 Q. I'll tell you what, I'm going 20 to move on in the interest of time. And 21 because I have not designated you as an 22 expert, I'm not sure that's a fair question 23 for me to ask. 24 A. Okay. 25 Q. Then the last thing I need to</p>
Page 95	Page 97
<p>1 identification.) 2 QUESTIONS BY MR. LANIER: 3 Q. All right. By the same token, 4 I'll show you Exhibit Number 18 which is from 5 the mine company. 19. 6 Let me mark that as Exhibit 18. 7 Let me show you Exhibit 8 Number 19. Here's a copy for you. 9 Exhibit Number 19. And again, 10 I didn't show you these things because I was 11 asking you about what facts you knew, right? 12 A. Uh-huh. Right. 13 Q. All right. But now if they 14 want me to show you these things, here's 15 another one about an article on asbestos, and 16 this is from within the company that's now -- 17 it's Rio Tinto Minerals at the time. It's 18 now known as Imerys. 19 But in the process of this, 20 they say on the second page, "I'd seen and 21 read this article, and my first reaction was, 22 'Who really wrote this paper for John's 23 signature?' I know John, he's a fairly 24 technical person, but excuse me, he would not 25 write such an article and cite 129</p>	<p>1 talk to you about in regards to what the 2 lawyers asked you is the lawyer from Imerys 3 asked you about Julie Pier's tests and 4 accused me of not showing you those. 5 I'm going to show you one of 6 those so that nobody feels I shorted you. 7 We'll mark this as Exhibit Number 20. 8 (Blount Exhibit 20 marked for 9 identification.) 10 QUESTIONS BY MR. LANIER: 11 Q. This is Julie Pier, Luzenac, 12 May of 2002, and this is her analysis of 13 fibrous material from the Argonaut waste 14 rock. 15 So this is rock that is left 16 over from their mining at Argonaut that 17 they're thinking about putting on our roads. 18 A. Uh-huh. 19 Q. It says -- and Argonaut, by the 20 way, that's Vermont; is that right? 21 A. Uh-huh, that's right. 22 Q. -- "a sample of fibrous 23 material from the waste rock on the west side 24 of the south end of the Argonaut, Vermont, 25 mine was submitted to the technical center</p>

25 (Pages 94 to 97)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 98</p> <p>1 for identification. Result: The fibrous 2 material is tremolite. This was examined by 3 polarizing light microscopy using the 4 dispersion staining technique." 5 That's yours, isn't it? 6 A. Uh-huh, that's the one we were 7 using, yeah. 8 Q. "Tremolite was preliminarily 9 identified by this method. Subsequent 10 analysis by scanning electron microscope and 11 transmission electron microscopy confirmed 12 the tremolite identification." 13 If we want to know if Julie 14 Pier thought there was asbestos in the 15 Vermont mines, I could have shown you this, 16 couldn't I? 17 MR. DUBIN: Objection. Form. 18 THE WITNESS: Uh-huh. 19 QUESTIONS BY MR. LANIER: 20 Q. I just didn't because I wanted 21 to know what you found. 22 MR. DUBIN: Objection. Form. 23 QUESTIONS BY MR. LANIER: 24 Q. Is that fair? 25 A. Yes, that's fair.</p>	<p style="text-align: right;">Page 100</p> <p>1 different each time so -- in different order 2 so that I don't -- have no idea which one's 3 which when I'm running it so I'm not biased 4 subconsciously, because that could happen. 5 So that's why I put these numbers. 6 Unfortunately, I didn't make a 7 good enough record, and I think some of them 8 got a little mixed up. 9 Q. And so I don't know if you 10 still have the exhibits with you; otherwise I 11 can mark something different. 12 But -- so we see -- can I turn 13 the Elmo back on, sir? 14 So this is -- we looked at this 15 before. It was Exhibit 8. And here you're 16 talking about how -- you're writing to the 17 lawyers for Johnson & Johnson and you're 18 saying, "Johnson & Johnson, I've looked at it 19 as labeled -- sample labeled I by traditional 20 methods. See Table 2, 567 in the 1990 21 paper," right? 22 A. Uh-huh. 23 Q. So this is the 1990 paper we 24 talked about that had some results for 25 Johnson & Johnson.</p>
<p style="text-align: right;">Page 99</p> <p>1 Q. And, ma'am, has your opinion 2 changed at all? Did you find asbestos in the 3 Johnson & Johnson baby products sold on the 4 shelves on multiple occasions? 5 A. I did. 6 MR. LANIER: Thank you. 7 Pass the witness. 8 RECROSS-EXAMINATION 9 QUESTIONS BY MR. DUBIN: 10 Q. Hey, how are you? We're almost 11 done. Don't worry about it. 12 Okay. So first, I didn't quite 13 understand your -- one thing that you were 14 talking about with Mr. Lanier, so I just want 15 to clarify it, this idea of blinding samples. 16 So as I understand it, if you 17 have a Sample I -- and, for example, let's 18 say that's a Johnson & Johnson product -- 19 then the next time you don't want that 20 Sample I necessarily to be Johnson & Johnson 21 because then you'll know what the results are 22 before you start, right? 23 A. I don't want to -- let me -- I 24 won't know -- even if I put "I" there, I 25 wouldn't know -- I want the letters to be</p>	<p style="text-align: right;">Page 101</p> <p>1 A. Uh-huh. 2 Q. So the next time you look at 3 Johnson & Johnson, though -- the next time 4 you have a Sample I, that's not going to be 5 Johnson & Johnson anymore, right? 6 A. Yeah, probably not. 7 Q. And so when you do your 8 analysis for your 1991 paper, "Amphibole 9 Content of Cosmetic and Pharmaceutical 10 Talcs," and you've got results for Sample I, 11 because you've randomly blinded this, it's 12 likely that I isn't going to be Johnson & 13 Johnson again, right? 14 A. Yeah, it may not be. 15 Q. Okay. And a couple other 16 questions. 17 So was this -- you were asked 18 about how many times you've looked at Johnson 19 & Johnson. 20 Was the bottle that we've got 21 as Exhibit 14, was that the first one that 22 you bought to analyze? 23 A. I bought that one last -- in 24 New Jersey. It may not have been the first 25 one.</p>

26 (Pages 98 to 101)

Alice M. Blount, Ph.D.

Page 102	Page 104
<p>1 Q. Do you have any results of any 2 analysis that you did on any other bottles 3 than this one? 4 A. I'll have to look. I don't 5 know. 6 Q. Okay. And fair to say, though, 7 you've kept this bottle for now -- somebody 8 help me with the math -- 23? 22 years, 9 right? 10 A. 22 years. 11 Q. And if you had tested other 12 bottles of Johnson & Johnson, any reason that 13 you wouldn't have maintained those also? 14 A. I don't know. 15 Q. Okay. But at least sitting 16 here today, there's no results of any other 17 testing that I can take a look at that we 18 have with us, right? 19 A. With us today, don't think so. 20 Q. And one of the things you were 21 asked a little bit about was a document 22 pertaining to McCrone, some McCrone analysis 23 in the 1970s Mr. Lanier showed you, right? 24 A. Uh-huh. 25 Q. Do you even know whether the</p>	<p>1 Q. In particular, for example, 2 there may be areas towards the edges of talc 3 deposits where the talc comes into contact 4 with things like country rock, or you call it 5 black rock, or the like, right? 6 A. Uh-huh. 7 Q. And so at those edges of those 8 deposits, if you sample over there, you might 9 be more likely to find asbestos because it's 10 in conjunction with that harder rock mineral, 11 and there's also different minerals that can 12 come into play because of where it is 13 geologically, right? 14 A. Yes, they are not really 15 homogeneous, most deposits. 16 Q. And so it's important to 17 consider, when you're looking at a result of 18 a talc sample, where that talc sample was 19 actually taken from in a deposit, right? 20 A. Right. 21 Q. Okay. And you were asked a 22 little bit about hide and seek and all the 23 like. 24 First, do you agree that an 25 expert should not change their testing</p>
Page 103	Page 105
<p>1 samples that were being analyzed in that -- 2 in that document were samples of talc that 3 would have gone into Johnson & Johnson baby 4 powder? 5 A. I don't think so. 6 Q. You don't know that, right? 7 A. Do you have that -- do you have 8 that thing to look at? 9 Q. Well, he gave you the document 10 before. 11 Well, for example, do you know 12 what the code HC means in that context? 13 A. HC? No. 14 Q. Do you know whether it could be 15 an industrial talc? 16 You just don't know how Johnson 17 & Johnson used those numbers, right? Or 18 letters, sorry. H is a letter. 19 A. No, I don't. 20 Q. And you were asked a little bit 21 about waste rock. 22 Is it fair to say that when you 23 look at a large talc deposit, there may be 24 geological diversity in that deposit? Right? 25 A. More than likely.</p>	<p>1 methodology just based on who is paying them 2 in a litigation? 3 A. Right. 4 Q. Right? 5 And do you agree that if you're 6 trying to answer the question whether there's 7 asbestos in a material, you should use 8 methods that help you distinguish between 9 asbestiform and nonasbestiform amphiboles, 10 right? 11 If that's the -- if the 12 question you're being asked is, is there 13 asbestos, you should use the right methods to 14 answer that question, right? 15 A. Right. 16 MR. DUBIN: No further 17 questions. 18 MR. PROST: No questions. 19 FURTHER REDIRECT EXAMINATION 20 QUESTIONS BY MR. LANIER: 21 Q. Dr. Blount, after all these 22 questions are said and done, after everything 23 that's been discussed, just based on what you 24 did in your work, in your life, never 25 dreaming lawyers would contact you, can you</p>

27 (Pages 102 to 105)

Alice M. Blount, Ph.D.

<p style="text-align: right;">Page 106</p> <p>1 affirm that for decades, in the '80s and the 2 '90s, at least, into the 2000s, Johnson & 3 Johnson baby powder sold on the shelves had 4 asbestos and asbestiform in it? 5 MR. DUBIN: Objection. Form. 6 THE WITNESS: Yes. 7 MR. LANIER: Thank you. That's 8 all we've got. 9 FURTHER RECROSS-EXAMINATION 10 QUESTIONS BY MR. DUBIN: 11 Q. You were asked a very general 12 question by Mr. Lanier. 13 Do you agree that the best way 14 to determine whether or not there was 15 asbestos in these products is to look at the 16 actual testing results? 17 A. Look at test -- yeah. 18 Q. Right. 19 And so other than whatever we 20 have in your papers that you brought here 21 today, we have none of these test results 22 that you're supposedly relying on for 23 opinions in the '70s, '80s, '90s about 24 Johnson & Johnson talc to look at today, 25 right?</p>	<p style="text-align: right;">Page 108</p> <p>1 CERTIFICATE 2 3 I, CARRIE A. CAMPBELL, Registered 4 Diplomate Reporter, Certified Realtime 5 Reporter and Certified Shorthand Reporter, do 6 hereby certify that prior to the commencement 7 of the examination, Alice M. Blount, Ph.D., 8 was duly sworn by me to testify to the truth, 9 the whole truth and nothing but the truth. 10 I DO FURTHER CERTIFY that the 11 foregoing is a verbatim transcript of the 12 testimony as taken stenographically by and 13 before me at the time, place and on the date 14 hereinbefore set forth, to the best of my 15 ability. 16 17 I DO FURTHER CERTIFY that I am 18 neither a relative nor employee nor attorney 19 nor counsel of any of the parties to this 20 action, and that I am neither a relative nor 21 employee of such attorney or counsel, and 22 that I am not financially interested in the 23 action. 24 25</p> <p>17 CARRIE A. CAMPBELL, 18 NCRA Registered Diplomate Reporter 19 Certified Realtime Reporter 20 California Certified Shorthand 21 Reporter #13921 22 Missouri Certified Court Reporter #859 23 Illinois Certified Shorthand Reporter 24 #084-004229 25 Texas Certified Shorthand Reporter #9328 Kansas Certified Court Reporter #1715 Notary Public Dated: April 13, 2018</p>
<p style="text-align: right;">Page 107</p> <p>1 A. Yes. 2 FURTHER REDIRECT EXAMINATION 3 QUESTIONS BY MR. LANIER: 4 Q. But you're the one who did the 5 work, aren't you? 6 A. Yes. 7 Q. So these are your test results 8 you're talking about. We don't need a sheet 9 of paper, do we? 10 A. We're using kind of concept 11 method anyway. 12 MR. LANIER: Okay. Thank you. 13 MR. DUBIN: We can do this 14 forever, I suppose. All right. Let's 15 quit. 16 MR. LANIER: Thank you, 17 Dr. Blount. 18 VIDEOGRAPHER: This concludes 19 the April 13, 2018 deposition of 20 Dr. Blount. Going off the record. 21 The time is 11:25. 22 (Deposition concluded at 11:25 a.m.) 23 ----- 24 25</p>	<p style="text-align: right;">Page 109</p> <p>1 INSTRUCTIONS TO WITNESS 2 3 Please read your deposition over 4 carefully and make any necessary corrections. 5 You should state the reason in the 6 appropriate space on the errata sheet for any 7 corrections that are made. 8 After doing so, please sign the 9 errata sheet and date it. You are signing 10 same subject to the changes you have noted on 11 the errata sheet, which will be attached to 12 your deposition. 13 It is imperative that you return 14 the original errata sheet to the deposing 15 attorney within thirty (30) days of receipt 16 of the deposition transcript by you. If you 17 fail to do so, the deposition transcript may 18 be deemed to be accurate and may be used in 19 court. 20 21 22 23 24 25</p>

Alice M. Blount, Ph.D.

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<div style="text-align: center;">ACKNOWLEDGMENT OF DEPONENT</div> <p>I, _____, do hereby certify that I have read the foregoing pages and that the same is a correct transcription of the answers given by me to the questions therein propounded, except for the corrections or changes in form or substance, if any, noted in the attached Errata Sheet.</p> <p>_____ Alice M. Blount, Ph.D. DATE</p> <p>Subscribed and sworn to before me this _____ day of _____, 20 ____.</p> <p>My commission expires: _____</p> <p>Notary Public</p>	<div style="text-align: center;">----- LAWYER'S NOTES -----</div> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 10%; text-align: center;">PAGE</th> <th style="width: 10%; text-align: center;">LINE</th> <th style="width: 70%;"></th> </tr> </thead> <tbody> <tr><td>1</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>2</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>3</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>4</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>5</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>6</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>7</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>8</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>9</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>10</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>11</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>12</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>13</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>14</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>15</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>16</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>17</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>18</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>19</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>20</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>21</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>22</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>23</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>24</td><td>_____</td><td>_____</td><td>_____</td></tr> <tr><td>25</td><td>_____</td><td>_____</td><td>_____</td></tr> </tbody> </table>		PAGE	LINE		1	_____	_____	_____	2	_____	_____	_____	3	_____	_____	_____	4	_____	_____	_____	5	_____	_____	_____	6	_____	_____	_____	7	_____	_____	_____	8	_____	_____	_____	9	_____	_____	_____	10	_____	_____	_____	11	_____	_____	_____	12	_____	_____	_____	13	_____	_____	_____	14	_____	_____	_____	15	_____	_____	_____	16	_____	_____	_____	17	_____	_____	_____	18	_____	_____	_____	19	_____	_____	_____	20	_____	_____	_____	21	_____	_____	_____	22	_____	_____	_____	23	_____	_____	_____	24	_____	_____	_____	25	_____	_____	_____																										
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